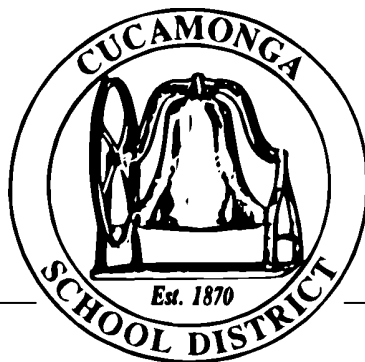


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# 2011-2012 PARENT GUIDE To CUCAMONGA SCHOOLS

At the beginning of the first semester or quarter of the regular school term, the governing board of each school district shall notify the parent or guardian of its minor students regarding the right or responsibility of the parent or guardian under Sections 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, and 51938 and Chapter 2.3 (commencing with Section 32255) of Part 19. The information contained in the parent guide comes from the California Education Code (code numbers in *italic*). The full text of the code is available at the District Office, 8776 Archibald Avenue, Rancho Cucamonga. Other interpretations of languages for the parent guide are available.

## ACADEMIC SERVICES

*(Education Code Section 49063, 49091.14)*

A Description of learning expectations for student academic achievement is available for all subjects. Please contact the Educational Services Department.

## STUDENT RECORDS & NOTIFICATION OF RIGHTS

*(Education Code Section 49063-49078 & Title 5, Ccr 431(3))*

Parents of minors and students 18 years or older may request an opportunity to inspect any and all official school records, files, and data related to their child (or themselves if 18 or over). A parent has the right to file a request for removal of records and/or a complaint with the Department of Health, Education and Welfare concerning an alleged failure by the District to comply with the **Privacy Act of 1974**. School personnel with legitimate educational interests, schools of intended enrollment, specified federal, state and county educational administrators, or those who provide financial aid are entitled to access without your consent. Access may also be obtained without your consent pursuant to court order. A log of those requesting or receiving information from the records and the reason for that request are kept in the student's cumulative folder. Health department authorities shall have access to immunization records (*Health and Safety Code 3380-3389*). Districts maintain student records. Building Principals are responsible for their custody. Requests for access must be directed to them. Staff members have access to the records for purposes of reviewing your child's academic, physical, and social development to enhance planning of educational programs. The District forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll. Files include:

- (a) Access log
- (b) Legal name, sex, name and address of parent
- (c) A permanent record of birth/method of verification
- (d) Test scores, developmental information, and disciplinary notations
- (e) Attendance
- (f) Immunization/Health records
- (g) Special Education records
- (h) Parental authorizations or prohibitions

If you believe material is inaccurate or inappropriate, you may request its removal by directing a written statement to the Administrator of Educational Services. When a student moves from one school to another, his/her records are transferred in accordance with state and federal laws. Parents have the right to review, challenge, and/or receive a copy of the transferred record. Inspection and reviewing of student records must take place during regular school hours. A request to review records or to copy records must be in writing. The requests must be honored within 5 business days. A certificated person will be available to interpret records. A fee of 10 cents per page will be charged for copying records.

California schools are required to forward records to any California school of new or intended enrollment.

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

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

When requested, the Cucamonga School District discloses personally identifiable information to officials of another school, school system or post secondary institution where the student seeks or intends to enroll. (34 CFR 99.34)

### **COURSE PROSPECTUS**

Course prospectus (Grade Level Academic Content Standards) are available for parents by request at each school site or the District Office.

### **DIRECTORY INFORMATION**

*(Education Code Section 49073)*

Directory information may be made available in accordance with the State and Federal laws. This means that your child's name (or your name if you are 18), a birth date, birth place, address, telephone, major course of study, participation in school activities, dates of attendance, degrees and awards, and previous school attended will be available to specified agencies. In addition, height and weight of athletes will be made available. The agencies or persons who can receive the directory information are as follows: State and local law enforcement; Probation, adoption, child protective agencies; Public and private trade or professional schools; Elected officials; news media in conjunction with activities, honors, awards, etc; Parent support groups, e.g., PTA.

Schools shall inform parents that they may request that schools withhold directory information about their child. Immunization information shall be made available to the local health officer. Any parent not wishing directory information to be supplied to non-entities may request in writing to the principal that the information be withheld.

### **IDENTIFICATION AND EDUCATION UNDER SECTION 504**

*Board Policy 6164.6*

The Governing Board recognizes the need to identify and evaluate children with disabilities in order to provide them with the services required by law.

The district shall provide a free appropriate public education to students who reside within the district and who are classified as disabled under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

### **GATE**

5 CCR § 3831

Requires a school district to develop a written plan for the GATE program which shall be available for public inspection. Plan to include the rationale for the district's method of identification of gifted and talented students; procedures for ensuring parent participation in recommending policy for planning, evaluating, and implementing GATE program, and procedure to inform parents of a student's participation or nonparticipation in the program.

### **OBJECTION TO DISSECTION, HARMING OR DESTRUCTIVE USE OF ANIMALS**

*(Education Code Section 32255-32255.6)*

Any student with a moral objection to dissecting or otherwise harming or destroying animals as a part of a course curriculum shall have the opportunity, with written parental permission, to work with the teacher to develop an alternative, comparable, method for obtaining the information or experience required for the class.

### **COURSE SELECTION AND CAREER COUNSELING**

*(Education Code Section 40)*

No vocational or school program guidance shall be offered to students of one sex which is different from that offered to students of the opposite sex. All students must receive the same counseling on differentiated careers and vocational or higher education opportunities. Parents or legal guardians of students may participate in counseling sessions and decision prior to career counseling and course selection for grades seven through twelve.

### **HIGH SCHOOL EXIT EXAM**

*(Education Code Section 60850)*

This year's eighth graders, who will be seniors in the class of 2014, will be required to pass a High School Exit Examination (CAHSEE) to receive a high school diploma. This new graduation requirement for all California public school students was authorized by state law (Senate Bill 2, Statutes of 1999).

A High School Exit Examination Standards Panel, appointed by the State Superintendent of Public Instruction, reviewed state content standards in English/language arts and mathematics and recommended what they felt students should know and be able to do to graduate from high school. Questions for the CAHSEE, based on the selected standards, were field tested to make sure they are of the highest quality.

The exam will be divided into two parts: 1) reading and writing and 2) mathematics. Students must pass both parts of the CAHSEE to receive their high school diploma. Students also MUST meet the District's requirements for graduation.

The CAHSEE will be given each Spring to all tenth graders at the school site during regular school hours on the designated dates. Students will:

- 1) Receive results of the exam within eight weeks after testing is completed

- 2) Have many opportunities to retake the exam or either part previously not passed
- 3) Receive additional instruction, if needed, to help ensure success

Ninth grade students may volunteer to take the test. If ninth graders pass the CAHSEE, they do not have to retake the test in tenth grade.

If students do not have the needed English skills to be tested, the district may have that student wait to take the CAHSEE. Testing may be delayed for up to 24 calendar months from enrollment in the California public school system. Student must have completed six months of instruction in reading, writing, and comprehension in English during this period. The student must then pass the CAHSEE in English to receive their high school diploma.

Students with exceptional needs must pass the CAHSEE to receive their high school graduation diploma. The CAHSEE may be administered with appropriate accommodations as required in each student's Individual Educational Plan (IEP) or 504 Plan.

To help your student pass the test parents should ask their student's teacher or principal if the school's curriculum is aligned to state content standards in English-language arts and mathematics. Parents should also ask: a) How teachers are helping students achieve these standards, b) How they can help their students at home.

If you have any questions about the CAHSEE:

- 1) Contact the Chaffey Joint Union High School District at (909) 988-8511.
- 2) Check the California Department of Education website at <http://www.cde.ca.gov/ta/tg/hs/> (Internet).

### **ATTENDANCE**

Each person in California between the ages of 6 and 18 years, who is not legally exempt, is subject to compulsory school attendance. Each parent or guardian has the responsibility to send students to school for the full time of the school day as designated by the Board of Trustees (*Education Code Section 48200*). Students may be excused from school for the following reasons: sickness, quarantine, death in the family, doctor's appointment, and religious ceremonies and/or instruction. The student's absence should be submitted in writing by the parent or guardian and approved by the principal or a designee in alignment with uniform standards established by the Board of Trustees (*Education Code Sections 46014, 46015 and 48205*). A major goal of the Cucamonga School District is the improvement of attendance. While we cannot guarantee that "learning will occur just because a child is in school," we can guarantee that learning will not take place if the child is absent. There is a strong correlation between attendance and learning. Positive attendance improves learning.

### **EXCUSED ABSENCES**

The Cucamonga School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a student misses none or only a small portion of the school day. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences.

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

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

### **CEC § 48980(j)**

Requires the annual notification to advise the parent or guardian that no student may have his or her grade reduced or lose academic credit for any absence or absences excused under CEC § 48205, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Requires the full text of CEC § 48205 to be included in the annual notification. (*Education Code Section 48205*)

- A. Notwithstanding Section 48200, a student shall be excused from school when the absence is:
  1. Due to his or her illness.
  2. Due to quarantine under the direction of a county or city health officer.
  3. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  4. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  5. For the purpose of jury duty in the manner provided for by law.
  6. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent.
  7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference or attendance at an educational conference on the legislative or judicial process offered by a non-profit organization, when the student's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

- B. A student absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. As the teacher of any class from which a student is absent shall determine, the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- E. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "student."

## **ACCESS TO INTERNET AND ON-LINE SITES**

### **Student Use of Technology**

#### *Board Policy - 6163.4*

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

*(cf. 0440 - District Technology Plan)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 5131 - Conduct)*

*(cf. 6163.1 - Library Media Centers)*

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

*(cf. 5144 - Discipline)*

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

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

*(cf. 5145.12 - Search and Seizure)*

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

*(cf. 6162.6 - Use of Copyrighted Materials)*

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

### **Use of District Computers for Online Services/Internet Access**

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. *(20 USC 6777, 47 USC 254)*

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision. The Superintendent or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

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

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

#### *Administrative Regulation – 6163.4*

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. All instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the district's Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive instruction in their proper and appropriate use.

*(cf. 0440 - District Technology Plan)*

*(cf. 4040 - Employee Use of Technology)*

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

Teachers, administrators, and/or library media specialists shall prescreen technological resources and online sites that will be used for instructional purposes to ensure that they are appropriate for the intended purpose and the age of the students.

(cf. 6163.1 - Library Media Centers)

### **Online/Internet Services: User Obligations and Responsibilities**

Students are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, the user obligations and responsibilities specified below, and the district's Acceptable Use Agreement.

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers and passwords private and shall only use the account to which they have been assigned.
2. Students shall use the district's system safely, responsibly, and primarily for educational purposes.
3. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.

(cf. 5131 - Conduct)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (*Penal Code 313*)

4. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students also shall be cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians. Personal information includes the student's name, address, telephone number, Social Security number, or other personally identifiable information.
5. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.

(cf. 5131.9 - Academic Honesty)

(cf. 6162.6 - Use of Copyrighted Materials)

9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."

(cf. 5131.5 - Vandalism and Graffiti)

10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor use of the district's systems for improper use without advance notice or consent. Computer files and electronic communications, including email, are not private and may be accessed by the district for the purpose of ensuring proper use.

(cf. 5145.12 - Search and Seizure)

Whenever a student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5144 - Discipline)

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

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

### **HOMEWORK/MAKE UP WORK**

#### **School-Site Homework Plan**

The principal and staff at each school shall develop and regularly review a school-site homework plan which includes guidelines for the assignment of homework and describes the responsibilities of students, staff and parents/guardians.

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include: (*Education Code 48205*)

- A. Notwithstanding Section 48200, a student shall be excused from school when the absence is:
- (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the student'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.
- B. A student absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a student is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- E. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "student." (*Education Code 48980*).

## **FAMILY INVOLVEMENT**

In a democracy parents and guardians are encouraged and welcomed to become involved in the formal education of their children enrolled in public schools. This early and consistent parental involvement helps children to do well academically. When this involvement is combined with a partnership between home and school, the student, the school, and the community benefit.

Parents and guardians of enrolled students have the right to be included in the educational process and to have access to the system on behalf of their children. These rights are outlined in Chapter 864, Statutes of 1998:

*Classroom Observing - Teacher Conferencing - Volunteering - Student Attendance - Student Testing - School Selection - Safe School Environment - Curriculum Materials - Student Academic Progress - Student Records - Standards - School Rules - Psychological Testing - Councils and Committees - Policy Development*

Education Code Section 51101(c) notes: "This section may not be construed so as to authorize a school to inform a parent or guardian,...or to permit participation by a parent or guardian in the education of a child, if it conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction." (*Chapter 864, Statutes of 1998*)

- |                                    |   |
|------------------------------------|---|
| <i>Classroom Observing -</i>       | Parents have the right to visit their child's classroom to observe activities. The time and date of the visitation must be arranged in advance with the school.   |
| <i>Teacher Conferencing -</i>      | Parents have the right to request a conference with their child's teacher(s) or the principal. Parents should contact the school to schedule a date and time convenient to all participants.  |
| <i>Volunteering -</i>              | Parents have the right to volunteer their time and resources for the improvement of school facilities and programs. Parents should contact the school to determine the terms and conditions of this service.  |
| <i>Student Attendance -</i>        | Parents have the right to be notified in a timely manner if their child is absent from school without permission.   |
| <i>Student Testing -</i>           | Parents have the right to be notified of their child's performance on standardized and statewide tests and the school's ranking on these tests. (Under other state law, parents may request that their child not participate in the statewide tests.) |
| <i>School Selection -</i>          | Parents have the right to request that their child be enrolled in any school in the District. The District is not compelled to grant the request.   |
| <i>Safe School Environment -</i>   | Parents have the right and are entitled to the assurance of a safe and supportive learning environment for their child.   |
| <i>Curriculum Materials -</i>      | Parents have the right to examine the curriculum materials of the class or classes in which their child is enrolled.  |
| <i>Student Academic Progress -</i> | Parents have the right to be informed of their child's academic progress in school and of the persons to contact if they wish more information or assistance with their child.  |
| <i>Student Records -</i>           | Parents have the right to access their child's records and to question anything they feel is inaccurate or misleading or an invasion of privacy. Parents have the right to a timely response from the School District about their questions.          |

<i>Standards -</i>	Parents have the right to receive information regarding the academic standards their child is expected to meet.
<i>School Rules -</i>	Parents have the right to receive written notification of school rules, attendance policies, dress codes, and procedures for school visitations.
<i>Psychological Testing -</i>	Parents have the right to receive information on all psychological testing recommended for their child.
<i>Councils and Committees -</i>	Parents have the right to participate as a member of a parent advisory committee, school-site council, or site-based management leadership team in accordance with established rules and regulations for membership. Parents also have the right to attend at least two meetings per year scheduled by the school to get information on school issues and activities.
<i>Policy Development -</i>	Parents and guardians have the right and should be given the opportunity to work in a mutually supportive and respectful partnership with the school to help their child succeed. The governing board of each school district shall adopt a jointly created policy that outlines how parents and guardians, school staff, and students may share the responsibility for the intellectual, physical, emotional, social development, and well-being of their students.

This policy shall include, but is not limited to:

1. How parents/guardians and the school will help students to achieve academic and other standards.
2. How the school will provide high-quality curriculum and instruction in a supportive learning environment to all students enrolled.
3. What parents and guardians can do to support their child's learning environment, including but not limited to:
  - a. Monitoring school attendance
  - b. Monitoring homework completion
  - c. Encouraging participation in extracurricular activities
  - d. Monitoring and regulating television viewing
  - e. Planning and participating in activities at home supportive of classroom activities
  - f. Volunteering at school
  - g. Participating in decision-making processes at school

## **STUDENT AND FAMILY PRIVACY RIGHTS**

### *Board Policy 5022*

The Governing Board believes that personal information concerning district students and their families should be kept private in accordance with law.

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 5021 - Noncustodial Parents)*

*(cf. 5125 - Student Records)*

*(cf. 5125.1 - Release of Directory Information)*

*(cf. 6000 - Concepts and Roles)*

*(cf. 6162.8 - Research)*

The Superintendent or designee shall consult with parents/guardians regarding the development and adoption of this policy.

### **Collection of Personal Information for Marketing Purposes**

The Board prohibits district staff from administering or distributing to students survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.

### **Parent/Guardian Access to Surveys and Instructional Materials**

*(cf. 5020 - Parent Rights and Responsibilities)*

Within a reasonable period of time of receiving a request, the principal or designee shall permit a parent/guardian to view a survey, instrument or instructional material. A parent/guardian may view the document any time during normal business hours.

### **ANNUAL ADJUSTMENT TO LIABILITY LIMIT OF PARENT OR GUARDIAN FOR WILLFUL STUDENT MISCONDUCT**

*Education Code Section 48904(a)(1)* provides that the parent or guardian of a minor is liable for all damages caused by the willful misconduct of the minor that results in the injury or death of any student, school district or private school employee, or school volunteer, the parent or guardian is also liable for damages to real or personal property belonging to the school district or private school, or personal property belonging to a school employee, resulting from the willful misconduct of the minor. The liability of the parent or guardian is limited to \$10,000, adjusted annually for inflation.

Section 48904(a)(1) also specifies that the parent or guardian of a minor is liable for any reward, not exceeding \$10,000 adjusted annually for inflation, paid pursuant to *Government Code Section 53069.5*. *Government Code Section 53069.5* allows local agencies to offer and pay a reward for information leading to the identification and apprehension of any person who willfully damages or destroys property, or whose willful misconduct results in injury or death to any person.

The State Superintendent of Public Instruction is required to annually adjust both of the \$10,000 liability limits specified in Section 48904(a)(1) to reflect the percentage change in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. The adjustment amount is calculated by dividing the third quarter index value for the prior fiscal year by the third quarter index value for the second prior fiscal year.

### **Beyond High School**

Students and parents have the right to be informed of college entrance requirements. It is critically important to know how to assist those students who choose to pursue a college education. Students and parents need to know the series of college preparatory classes to take in high school. The minimum requirements vary, depending on the selected college or university. The requirements noted below are submitted by the Regents of the University of California and are, generally, the most rigorous:

- An English class every semester of every year for four years.
- One Math class every semester for three years, including algebra and geometry. Four years is recommended.
- Two years of a laboratory science beyond the ninth grade. An additional year is recommended.
- Two years of history-social science, which are to include U.S. government, world history, culture, and geography.
- Two years of the same language other than English.
- Two years of selected college courses, mentioned in sections a-e.
- One year of visual and performing arts effective for the entering class of 2003.

To gain admission to college, students must also take and submit scores from either the Scholastic Aptitude Test (SAT) or the American College Test (ACT). Your child's high school counseling office can provide the testing dates and locations.

### **DRESS AND GROOMING**

*Administrative Regulation - AR 5132*

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with district policy and regulations. These school dress codes shall be regularly reviewed.

*(cf. 0420 - School Plans/Site Councils)*

#### **Basic Dress Guidelines**

1. Shoes must be worn at all times. A substantial sole is required and enclosed toe and heel on footwear are highly encouraged. For example, strapless sandals, thongs, bedroom slippers, moccasins and footsies are not acceptable.
2. Extremely brief garments such as jogging shorts, exercise tights, halter tops, bare midriffs, tube tops, net tops, tank tops, spaghetti straps, plunging necklines (front and back), cut-up clothing, bathing suits, gym shorts (except during P.E. classes) and see through, strapless or backless garments are not appropriate. Clothes shall be sufficient to conceal undergarments at all times.
3. Hair nets, bandannas, hair rollers, clippies, or other grooming aids are not appropriate.
4. Clothing, jewelry, and personal items (backpacks, fanny packs, gym bags, water bottles etc.) Shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
5. Earrings or other jewelry which may present a safety hazard are not suitable for school wear.
6. Sunglasses are not permitted unless prescribed by a doctor.
7. Gang attire of any kind is strictly prohibited. Shirts with buttons are to be buttoned at all times.
8. Tattoos are to be covered at all times.
9. Hats, caps or other head coverings of any kind may not be worn without the expressed permission of the principal.
10. Clothing, make-up or hair-do styles that disrupt the educational process are not appropriate, except on school dress-up days.
11. Gym shorts may not be worn in classes other than physical education.
12. Hair shall be clean and neatly groomed, hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (*Education Code 49066*)

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

#### **Prohibited Personal Property**

Students are not to have in their possession (including book bags and lockers) nor bring the following items to school:

1. Radios, television sets, record players, tape players, video games and cameras. (With prior written permission of the principal or designee, these items may be brought to school for special occasions.)
2. No gang-related jewelry, insignia, colors, paraphernalia (beepers, gloves, rags, bandannas, plastic hands), materials, apparel, clothing or attire which creates animosity or promotes violence between persons or groups may be worn or carried on campus or at school activities. Also prohibited are notebooks, manner of grooming, or gesture which, by virtue of its color, arrangement, trademark, graffiti or any other attribute, denotes membership in such a group.
3. Gambling devices--dice, playing cards, etc.

4. Drugs, alcoholic beverages, narcotics cigarettes, cigarette lighters, matches, and look-a-likes.
5. Explosive devices, fire crackers, fire balls, cherry bombs, etc.
6. Weapons, guns, knives, cake cutters, screw drivers, and/or other dangerous items.
7. Toys, especially those which are realistic simulations of guns and knives.

### **Gang-Related Apparel**

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define " gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (*Education Code 35294.1*)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.

### **DISCIPLINE**

#### **RULES AND REGULATIONS REGARDING DISCIPLINE**

(*Education code Section 35291, 35191.7 and 44807*)

The Board of Trustees prescribes discipline consistent with California and State Board of Education regulations. Each principal ensures that all rules pertaining to discipline are communicated to students at the beginning of each school year. Transfer students are to receive this information on enrollment. School sites' discipline rules are established by school committees with specific membership assigned to these committees. These discipline rules and membership are filed with the board. A site discipline manual is available at each school for parents to review. This manual contains the discipline policies adopted by the Board of Trustees (*Education Code Section 35291 and 48900.1*).

Parents may be required at teacher discretion to attend a portion of a school day in any classroom from which their student has been suspended for obscene, vulgar, profane, or disruptive behavior. The law prohibits employer sanctions (*Education Code Section 48910*).

*Penal Code 417.27* prohibits possession of a laser pointer by any student on any elementary or secondary school premise, unless possession is for valid instruction. It further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.

No student or other person in attendance, at any public or private educational institution shall conspire to engage in hazing (*Education Code Section 32051*).

A student who goes to school without proper attention having been given to personal cleanliness or neatness of dress may be sent home to be properly prepared for school, or shall be required to prepare himself for the schoolroom before entering (*California Code of Regulations, Title 5, Section 302*).

Requires students to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language. (*California Code of Regulations, Title 5 (5CCR) § 300*)

Every teacher in the public schools shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, assistant principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a student that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of students, or to maintain proper and appropriate conditions conducive to learning. The provisions of this section are in addition to and do not supersede the provision of Section 4900. (*Stats.1976, c. 1010, § 2, operative April 30, 1977*)

#### **CEC § 48980(a)**

At the beginning of the first semester or quarter of the regular school term, the governing board of each school district shall notify the parent or guardian of a minor student regarding the right or responsibility of the parent or guardian under Sections 35291.

#### **CEC §35291**

The school district may notify the parent or guardian of all students registered in schools of the district of the availability of rules of the district pertaining to student discipline.

### **HEALTH AND SAFETY**

#### **CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM** (*Health and Safety Code 324.2*)

Under California Medical Assistance Program parents may apply for free health screening for disabilities. All kindergarten and first grade children must have a physical examination in addition to meeting the statutory immunization requirements prior to enrollment. In addition, each incoming kindergarten student must present written result of a tuberculosis skin test. The test must have been given within one year of enrollment.

#### **STUDENT HEALTH, ORAL HEALTH ASSESSMENT** (*AB 1433, Chapter 413, Statutes of 2006*).

CEC § 49452.8 requires a student, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the student was not previously enrolled in kindergarten in a public school, to no later than May 31<sup>st</sup> of the school year present proof of having received an oral health assessment that was performed no earlier than 12 months prior to the date of the initial enrollment of the student. See Summary of District-Level Notifications for further information, Attachment 4.

## **IMMUNIZATION REQUIREMENTS**

*AR 5141.31*

To enter or transfer into public and private elementary and secondary schools (grades kindergarten through 12), children under age 18 years must have immunizations as outlined below, New 7<sup>th</sup> grade entry requirements went into effect 7/1/2011. A varicella requirement for kindergarten entry went into effect 7/1/01.

### **Immunizations for Grades K-12**

The Superintendent or designee shall not unconditionally admit any student to a district school or child care and development program unless that student has presented documentation of full immunization.

*(Health and Safety Code 120335)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5148 - Child Care and Development)*

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of the rights of students and parents/guardians relating to immunizations under Education Code 49403. (Education Code 48980)

*(cf. 5145.6 - Parental Notifications)*

### **Immunizations for Grades K-12**

Students entering the district in grades K-8 shall have received the following immunizations:

*(Health and Safety Code 120335; 17 CCR 6020)*

1. Measles, mumps and rubella (MMR) vaccine
  - a. Students entering at the kindergarten level shall have received two doses on or after the first birthday, except one dose may be a measles-only vaccine.
  - b. Mumps vaccine shall not be required for students age seven or older.
  - c. Students entering or advancing to seventh grade shall be required to have a second dose of measles-containing vaccine if they have not previously obtained a second dose.
2. Diphtheria, tetanus and pertussis (whooping cough) vaccine (DTP or DTaP)
  - a. Five doses shall be required for students ages four through six. However, four doses shall meet the requirement if at least one dose was given on or after the fourth birthday.
  - b. Four doses shall be required for students age seven or older. However, three doses shall meet the requirement if at least one dose was given on or after the second birthday.
  - c. Pertussis immunization shall not be required for students age seven or older.
  - d. A tetanus and diphtheria (Td) shot is recommended but not required for 7th-8th grade students who have not had a booster within the past five years.
3. Poliomyelitis (polio) vaccine
  - a. Four doses shall be required at any age. However, three doses shall meet the requirement for ages four through six if at least one dose was given on or after the fourth birthday, and three doses shall meet the requirement for ages seven to seventeen if at least one dose was given on or after the second birthday.
4. Hepatitis B vaccine
  - a. Three doses shall be required for entry into kindergarten.  
Students admitted at the kindergarten level or below before August 1, 1997, shall be exempt from this requirement.
  - b. Students shall not be unconditionally admitted or advanced to seventh grade unless they have been fully immunized against hepatitis B. A student who has previously had three doses of hepatitis B vaccine at any age before seventh grade shall not be required to receive any additional shots.
5. Varicella (chickenpox) vaccine  
Any student admitted at the kindergarten level or above before July 1, 2001, shall be exempt from this requirement for school entry.

Students who skipped kindergarten shall meet immunization requirements for hepatitis B and a second measles dose prior to entering first grade.

Students transferring into the district at a grade other than kindergarten or seventh grade shall be exempt from the requirement for a second measles dose or hepatitis B immunization.

## **NOTIFICATION: SEXUAL HARASSMENT**

*(Education Code Sections 48980 and 212.5)*

*Board Policy 5145.7*

The Governing Board is committed to maintaining an educational 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 complain, testify, assist, or otherwise participate in district complaint processes.

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

### **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

*(cf. 5131.5 - Vandalism and Graffiti)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

### **Complaint Process**

Any student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

### **Disciplinary Actions**

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-8, 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.

*(cf. 5131 - Conduct)*

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

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

### **Confidentiality and Record-Keeping**

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

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Student Records)*

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 the schools.

### *Administrative Regulations 5145.7*

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 sex in the educational setting, when made on the basis of sex and under any of the following conditions: *(Education Code 212.5; 5 CCR 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-sex 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 movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects

## School-Level Complaint Process/Grievance Procedure

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint. In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent or designee.
2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall consider the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment in determining whether it is reasonable to pursue an investigation.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.
4. Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.  
(*cf.* 5141.4 - *Child Abuse Prevention and Reporting*)

5. Interim Measures: The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. Optional Mediation: In cases of student-to-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. Factors in Reaching a Determination: In reaching a decision about the complaint, the Coordinator/Principal may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Coordinator/Principal may take into consideration:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
  - d. The number of persons engaged in the harassing conduct and at whom the harassment 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 students
8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If sexual harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall also make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti  
(*cf. 5131.5 - Vandalism and Graffiti*)
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond  
(*cf. 4131 - Staff Development*)  
(*cf. 4231 - Staff Development*)  
(*cf. 4331 - Staff Development*)
3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community  
(*cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information*)  
(*cf. 5125 - Student Records*)
5. Taking appropriate disciplinary action. In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.  
(*cf. 4118 - Suspension/Disciplinary Action*)  
(*cf. 4218 - Dismissal/Suspension/Disciplinary Action*)  
(*cf. 5144.1 - Suspension and Expulsion/Due Process*)  
(*cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)*)

### **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 (*Education Code 48980; 5 CCR 4917*) (*cf. 5145.6 - Parental Notifications*)
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 (*Education Code 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 (*Education Code 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 (*Education Code 231.5*)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

### **SEARCH AND SEIZURE**

*Administrative Regulation 5145.12*

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items.

- (*cf. 0450 - Comprehensive Safety Plan*)  
(*cf. 3515 - Campus Security*)  
(*cf. 3515.3 - District Police/Security Department*)  
(*cf. 5131 - Conduct*)  
(*cf. 5131.7 - Weapons and Dangerous Instruments*)  
(*cf. 5144.1 - Suspension and Expulsion/Due Process*)

The Board urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.

- (*cf. 0410 - Nondiscrimination in District Programs and Activities*)  
(*cf. 1312.1 - Complaints Concerning District Employees*)  
(*cf. 5145.3 - Nondiscrimination/Harassment*)

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

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

### **Individual Searches**

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the

district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

Any search of a student, his/her property, or district property under his/her control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found.

In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

Employees shall not conduct strip searches or body cavity searches of any student. (*Education Code 49050*)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search. (*cf. 5145.11 - Questioning and Apprehension by Law Enforcement*)

### **TOBACCO USE PREVENTION EDUCATION AND SAFE AND DRUG FREE SCHOOLS AND COMMUNITIES GOALS**

The district prohibits the use of tobacco products any time in district owned/leased buildings, on district property, and in district vehicles.

1. Establish a comprehensive positive school climate program that ensures all students are provided with a safe and nurturing environment at school.
2. Provide educational opportunities for staff, students and parents to learn the negative aspects of drug, alcohol and tobacco use.
3. Use community and school resources to provide access to extra curricular activities as an alternative to involvement in drugs, alcohol, tobacco and gangs.
4. Provide educational opportunities for students that foster positive social behavior and judgment skills.
5. Provide access to community resources to support students in discontinuing their use of drugs, alcohol and tobacco.

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**For Emergency Announcements Tune your Radio to One of the Following Stations:**  
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**KFI-640 AM \* KMSL-1510 AM (Spanish) \* KFRG-95.1 FM \* KFVB-980 AM \* KRTH-101.1 FM**

### **NONDISCRIMINATION STATEMENT**

*Federal Regulation (Title VI, Civil Rights Discrimination Act of 1964 and Title IX, 1972 Education Amendment Act, Section 504, Rehabilitation Act of 1973)*

The Cucamonga School District is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, national origin, ethnic group identification, physical or mental disability, sexual orientation, or the perception of one or more of such characteristics. The District assures that lack of English language skill shall not be a barrier to admission or participation in District programs. Complaints of unlawful discrimination are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. For a complaint form or additional information, contact:

Cucamonga School District  
8776 Archibald Avenue  
Rancho Cucamonga, CA 91730  
(909) 987-8942

### **REPORT OF MISSING CHILDREN**

*(Education Code Section 49370)*

The Legislature hereby declares its intent in enacting this article to require that specified persons, including school teachers, school administrators, school aides, school playground workers, and school bus drivers, report missing children to a law enforcement agency in a timely manner, in order to provide those children a necessary level of protection when they are at serious risk.

### **PARENTS' RIGHTS AND RESPONSIBILITIES**

#### **VISITORS/OUTSIDERS**

The Governing Board encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during non-instructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall check in at the school office prior to entering any school building or grounds when school is in session.

### **CEC 32210**

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

## **STUDENT AND FAMILY PRIVACY RIGHTS**

*Administrative Regulations 5022*

### **Definition**

*Personal information* means individually identifiable information including a student's or parent/guardian's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a social security identification number.

*(20 USC 1232h)*

### **Surveys Requesting Information about Beliefs and Practices**

A student's parent/guardian shall provide prior written consent before the student participates in a survey containing one or more of the following items: *(20 USC 1232h; Education Code 51513)*

1. Political affiliations or beliefs of the student or his/her family
2. Mental or psychological problems of the student or his/her family
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality
4. Illegal, anti-social, self-incriminating or demeaning behavior
5. Critical appraisals of other individuals with whom students have close family relationships
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians or ministers
7. Religious practices, affiliations or beliefs of the student or his/her parent/guardian
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

If a student participates in a survey regarding information about beliefs and practices as identified above, school officials and staff members shall not request or disclose the student's identity.

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.8 - Research)*

### **Exceptions to Collection of Personal Information**

Any district restriction regarding collection of personal information shall not apply to the collection, disclosure, or use of personal information collected from students for the purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: *(20 USC 1232h)*

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
5. The sale by students of products or services to raise funds for school-related or education-related activities

*(cf. 1321 - Solicitation of Funds from and by Students)*

6. Student recognition programs

*(cf. 5126 - Awards for Achievement)*

### **Health Examinations**

No school official or staff member shall subject a student to a non-emergency, invasive physical examination as a condition for school attendance, except as permitted or required under California law. *(20 USC 1232h)*

*Invasive physical examination* means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a properly authorized hearing, vision or scoliosis screening. *(20 USC 1232h)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5141.3 - Health Examinations)*

### **Notifications**

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: *(20 USC 1232h)*

1. The district's policy regarding student privacy
2. The process to opt their children out of participation in any activity described in this policy and administrative regulation
3. The specific or approximate dates during the school year when the following activities are scheduled:
  - a. Survey requesting personal information
  - b. Physical exams or screenings

### **Resources and Information**

To obtain information on parents' rights or family involvement issues, contact the Educational Partnerships Office, California Department of Education, 721 Capitol Mall, Sacramento, CA 95814 or call (916) 657-5342. To obtain copies of any of the materials listed below, please contact the publisher.

## Comprehensive Partnership Materials

Ballen, J., and O. Moles, 1994. *Strong Families, Strong Schools, Building Community partnerships for Learning*. Washington, D.C.: U.S. Department of Education.

California Department of Education. 1997. *Family-School Compacts*. Challenge Toolkit Series. Sacramento: California Department of Education.

De Kanter, A.; A.L. Ginsburg; J. Pederson; T.K. Peterson; and D. Rich. 1997. *A compact for Learning: An Action Handbook for Family-School-Community Partnerships*. Washington, D.C.: U.S. Department of Education.

Epstein, J., et al. 1997. *School, Family, and Community Partnerships: Your Handbook for Action*. Thousand Oaks, Calif.: Corwin Press.

Rich, D. 1994. *The New Megaskills Bond: Breakthroughs in Building the T.E.A.M. for Better Schools*. Washington, D.C.: Home and School Institute.

Sanders, M.G. 1997. *Building Effective-School-Family-Community Partnerships in a Large Urban School District*. Center for Research on the Education of Students Placed at Risk (CRESPAR), Report No. 13. Baltimore: Johns Hopkins University; and Washington, D.C.: Howard University.

U.S. Department of Education. 1999. *America Goes Back to School: Challenge Our Students and They Will Soar*. Washington, D.C.: U.S. Department of Education.

## Organizations

Center for Research on the Education of Students Placed at Risk (CRESPAR), Howard University, 2900 Van Ness Street, NW, Washington, DC 20008, (202) 806-8484

Center on School Family, and Community Partnerships, Johns Hopkins University, 3505 North Charles Street, Baltimore, MD 21218, (410) 516-8818

U.S. Department of Education, 1-(800)-USA-LEARN

## Online Resources

California Department of Education Parent Involvement: <<http://www.cde.ca.gov/cfysbranch/lsp/f-phome.htm>>

Center on School, Family, and Community Partnerships Publications: Johns Hopkins University: <<http://scov.scos.jhu.edu/p2000/listsab.htm>>

U.S. Department of Education Partnership for Family Involvement in Education: <<http://pfie.ed.gov/>>

U.S. Department of Education ED Pubs Online Ordering System: <<http://www.ed.gov/pubs/edpubs.html>>

## SUSPENSION AND EXPULSION LAWS

48900 - Grounds for Suspension and Expulsion

A student shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the student is enrolled determines that the student has committed an act as defined pursuant to any of subdivisions (a) to ( r ), inclusive:

- (a)
  - (1) Caused, attempted to cause, or threatened to cause physical injury to another person;
  - (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance, (*commencing with Section 11053 of Div. 10 of the Health and Safety Code*) alcoholic beverage, or intoxicant of any kind.
- (d) Unlawfully offered or arranged or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind.
- (e) Committed robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Had unlawful possession of or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel, engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
- (o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplining proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- (s) A student shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A student may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
  - (1) While on school grounds.
  - (2) While going to or coming from school.

- (3) During the lunch period of whether on or off the campus.
- (4) During, or while going to or coming from, a school sponsored activity.
- (t) A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (v) A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a student subject to discipline under this section.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a student who is truant, tardy, or otherwise absent from school activities.

#### **EC 48900.2 - SEXUAL HARASSMENT**

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

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

#### **EC 48900.3 - HATE VIOLENCE**

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

#### **EC 48900.4 - HARASSMENT, THREATS OR INTIMIDATION**

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

#### **EC 48900.5 - LIMITATIONS ON IMPOSING SUSPENSION**

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a student, including an individual with exceptional needs, as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the student violated subdivision (a), (b), (c), (d), (e) of Section 48900 or that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

#### **EC 48900.7 - TERRORIST THREATS**

- (a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, 48900.4, a student may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the student is enrolled determines that the student has made terroristic threats against school officials or school property, or both.
- (b) For the purposes of this section, "terrorist threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened of his or her immediate family.

#### **EC 48915 - CIRCUMSTANCES FOR RECOMMENDING EXPULSION**

- (a) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a student for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:
  - (1) Causing serious physical injury to another person, except in self-defense.
  - (2) Possession of any knife or other dangerous object of no reasonable use to the student.
  - (3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  - (4) Robbery or extortion.
  - (5) Assault of battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48915, the governing board may order a student expelled upon finding that the student committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:
  - (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

- (2) Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.
- (c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a student that he or she determines has committed any of the following acts at school or at a school activity off school grounds:
  - (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the student had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
  - (2) Brandishing a knife at another person.
  - (3) Unlawfully selling a controlled substance listed in chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
  - (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
  - (5) Possession of an explosive.
- (d) The governing board shall order a student expelled upon finding that the student committed an act listed in subdivision (c), and shall refer that student to a program of study that meets all of the following conditions:
  - (1) Is appropriately prepared to accommodate students who exhibit discipline problems.
  - (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
  - (3) Is not housed at the school site attended by the student at the time of suspension.
- (e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer of administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a student expelled upon finding that the student, at school or at a school activity off of school grounds violated subdivision (f), (g), 9H0, (I), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.36, or 48900.4, and either of the following:
  - (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
  - (2) That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.
- (f) The governing board shall refer a student who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a student expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or another elementary school, the student may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
- (g) As used in this section, “knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
- (h) As used in this section, the term “explosive” means “destructive device” as described in Section 921 of Title 18 of the United States Code.

### **Required Parental Attendance**

*(Board Policy 5144.1)*

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (*Education Code 48900.1*)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (*Education Code 48900.1*)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

### **PROGRAM AND SERVICES FOR ENGLISH LANGUAGE LEARNERS**

#### **Introduction**

Except as provided in Education Code 310 and 311, all students shall be taught in English. Students who are English learners shall be educated through structured English immersion and English Language Mainstream depending on level of English proficiency.

The definitions of terms:

- **English Learner:** A child who does not speak English or whose primary language is not English and who is not currently able to perform ordinary classroom work in English.

- California English Language Development Test: State and Federal laws require all school districts in California to administer a state test each year to English Learners whose home language is not English as indicated in the Home Language Survey. The California Development Test is the designated test for English Learners. The test determines the students' language proficiency in English. Parents must be notified of the test scores in Listening/Speaking, Reading and Writing within 30 days of receiving the official test scores from the state.

CELDT Scores:

1=Beginning      2=Early Intermediate      3=Intermediate      4=Early Advanced      5=Advanced

- Reclassified Fluent English Proficient (R-FEP): Students classified as R-FEP have met the District's criteria for reclassification. Cucamonga School District follows the State's guidelines for reclassification. Currently, the guidelines are as follows:
  - CELDT Overall Score: 4 or 5 with sub skills levels no lower than 3 (Sub skills include listening/speaking, reading and writing).
  - A score 350 or above on the California Standards Test in English Language Arts.
- English Language Mainstream Classroom: A classroom in which the students are native English language speakers or already have acquired reasonable fluency in English.
- Structured English Immersion: A program setting in which all instruction is in English and the curriculum presentation is specially designed for children who are learning the English language.
- Alternative Program: A parent/guardian may request that the District waive the requirements of Education Code 305.
- Teaching and Learning: Students receive core and categorical program services that meet their assessed needs. Lessons are designed to provide students with listening/speaking, reading and writing skills in English. Lessons also include the development of vocabulary in the content areas of the core curriculum allowing students to make easier transition to concept development and to mainstream classroom setting. Supplemental materials and additional instructional time are provided to enhance English language acquisition. Instruction is designed to lean students to English proficiency as quickly and efficiently as possible.

Students are grouped according to the level of language proficiency. All instruction is presented in English. Bilingual paraprofessional personnel provide assistance with clarification, explanation and additional support to students.

### Parental Exception Waivers

A parent/guardian may request that the District waive the requirements of Education Code 305 if one of the following circumstances exists:

1. Student knows English (**Education Code 311 [a]**)  
Student possesses good English language skills. Test results must be above the State average for the child's grade level or above the 5<sup>th</sup> grade average.
2. Student is 10 years of age or older (**Education Code 311 [b]**)
3. Student has special needs (**Education Code 311 [c]**)

Parents are asked to indicate the special need and to provide a brief explanatory statement i.e.:

- Educational Needs
- Physical Needs
- Emotional Needs

### Waiver Guidelines:

1. Students are identified through the Home Language Survey.
2. Students are assessed with the CELDT (California English Language Development Test) and in the students' primary language.
3. Parents are notified regarding the student's assessment results.
4. Parents receive information on student placement and will be notified of an opportunity to apply for a parental waiver exception.
5. The parent/guardian shall personally visit the school to apply for the waiver.

Upon request for an application for a parental Exception Waiver the principal shall provide the parents/guardians a full written description of:

1. The intent and content of structured English immersion program.
2. Any alternative course of study offered by the District and available to the student.
3. All educational opportunities offered by the District and available to the student.
4. The educational materials to be used in the different educational programs.
5. Alternative course descriptions and educational options offered at each school.
6. Transfer criteria for students moving from a structured English immersion program to an English mainstream classroom.

To request a waiver pursuant to Education Code 311(c) (Students with Special Needs), parents/guardians shall also be informed that the student must be placed in an English language classroom for not less than 30 calendar days and that the Superintendent must approve the waiver pursuant to these Board-established guidelines (*5 CCR 11303*).

Parental exception waivers pursuant to Education Code 311(c) (Students with Special Needs) shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of education study would be better suited to the student's overall educational development. (*5 CCR 11303*).

The school shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) (Students with Special Needs) shall not be acted upon during the 30 day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11303) For parents exception waivers pursuant to Education Code 311(b) (Students 10 years of age or older) shall be granted if it is informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills.

In cases where a parental waiver exception is denied, the parent/guardian shall be informed in writing of the reason for the denial and, if relevant, any procedures that exist to appeal the decision to the Board (5 CCR 11303). When there are 20 or more waivers granted in one grade level in a school, the school shall be required to provide an alternative course of study incorporating bilingual education techniques. (Education Code 310)

When there are 20 or more waivers granted in one grade level in a school, the school shall be required to provide an alternative course of study incorporating bilingual education techniques. (Education Code 310)

### **SPECIAL EDUCATION INSTRUCTION**

(Education Code Section 56301)

Each Responsible Local Agency shall establish written policies and procedures for the seeking out of all individuals with exceptional needs. Special Education means specially designed and individualized instruction, at no cost to the parent, to meet the unique needs of individuals with exceptional needs. It is an integral part of the total public education system, and should promote interaction between handicapped and non-handicapped students. These students shall be grouped according to their instructional needs.

### **FREE AND APPROPRIATE EDUCATION**

(Federal Register, PL 92-142, Section 121 a.41, 121 a-504, Education Code Sections 56329, 56380 and 56506 and Individuals with Disabilities Education Act (IDEA))

Ensures that all handicapped children have available to them a free appropriate public education which includes special education and related services provided in accordance with an individualized education program.

Special Education services are available to students from birth to age twenty-two. Services shall include processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment. Services include assessment of student needs, development of an individualized education plan and free appropriate educational services. Services provided include: preschool services to address specialized needs, Resource Specialist Programs, Special Day Classes, Language, Speech & Hearing Programs, Adaptive Physical Education, services for orthopedic and medical related disabilities. A full explanation of services is available through the District Office.

### **PRIVATE SCHOOLING FOR THE HANDICAPPED**

(Education code Section 56365)

Every handicapped student shall be offered the opportunity of a free and appropriate public education. When no appropriate public program is available, then a program in a private, non-sectarian, non-public school may be offered as an alternative at no cost to the parents.

### **NO CHILD LEFT BEHIND ACT**

The No Child Left Behind (NCLB) Act was signed into law by President Bush on January 8, 2002. No Child Left Behind requires that all states:

- Establish grade level standards for all students
- Use effective methods of instruction
- Assess student progress each year
- Determine how schools show improved test scores or Annual Yearly Progress (AYP)

The new law also requires annual notification of the following information:

The District must inform each individual parent about the level of achievement of their child in the state assessments and if the child has been assigned to or has been taught for four or more consecutive weeks by a teacher who is not highly qualified.

Schools must notify parents of English learners, not later than 30 days after the beginning of the school year, of their right to receive information about language instruction programs and their right to not have their students participate in these programs.

Parents may request information about the professional qualifications of their child's classroom teachers. To the extent practicable, the information should be provided in a language that the parent can understand. At a minimum, and upon request, the District is to inform parents of the following:

- If their child's teacher has met State qualifications for the grade levels and subject areas taught;
- If their child's teacher is teaching under an emergency credential or other provisional status;
- If their child is receiving services from a paraprofessional and if so, their qualifications; and

The baccalaureate degree major of the teacher or any other graduate certification or degree held by the teacher and the field of discipline of the certification or degree.

Parents may request information regarding whether their child is provided services by paraprofessionals and, if so, their qualifications.

(20 USC 6311, AR 4222)

### **CALIFORNIA LANGUAGE ARTS TEACHING AND LEARNING**

Lessons are designed to provide students with listening/speaking, reading and writing skills in English. Lessons also include the development of vocabulary in the content areas of the core curriculum allowing students to make an easier transition to concept development and to mainstream

classroom setting. Supplemental materials and additional instructional time are provided to enhance English language acquisition. Instruction is designed to lead students to English proficiency as quickly and efficiently as possible. Students receive core and categorical program services that meet their assessed needs. Students are grouped according to the level of language proficiency. All instruction is presented in English. Bilingual paraprofessional personnel provide assistance with clarification, explanation and additional support to students.

### **ALTERNATIVE SCHOOLS**

*(Education Code Sections 58501, 58502 and 5122.5.3)*

California State law authorizes all school districts to provide for alternative schools. These are defined as a school or separate class group within a school which is operated in a manner designed to:

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

In the event any parent, student, 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. Further, a copy shall be posted in at least two places, normally visible to students, teachers, and visiting parents in each attendance unit, for the entire month of March in each year. The parent or guardian of any student may request the board of the school District to establish an alternative school program or programs in the District pursuant to this code. Requirements for graduation and alternative modes for completing the prescribed course of study must be made available to students, parents and the public.

### **HOME AND HOSPITAL INSTRUCTION**

*(Education Code Section 48206.3, 48207 and 48208)*

Those qualifying students who, through illness (other than a communicable disease) and/or physical disability, are home or hospital bound for a period of at least 2 weeks and are so certified by a licensed physician, shall receive individual instruction in the Cucamonga School District through the services of a home/hospital teacher provided by the Administrator, Educational Services. Parent/guardian should contact the school where the student attends and notify the nurse of the need for a home/hospital teacher.

Notwithstanding Section 48200, a student with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the student's parent or guardian resides shall be deemed to have complied with the residency requirement for school attendance in the school district in which the hospital is located. *(Added by Stats.1986, c. 97, §3, eff. May 20, 1986.)*

It shall be the primary responsibility of the parent or guardian of a student with a temporary disability to notify the school district in which the student is deemed to reside pursuant to Section 48207 of the student's presence in a qualifying hospital.

### **RELIGIOUS INSTRUCTION**

*(Education Code Section 46014)*

After completing a minimum day, students may be absent from school for religious purposes at a place away from school. Absences are limited to four days per school month.

### **SCHOOL ACCOUNTABILITY REPORT CARD**

*(Education Code Section 35256)*

Copy of the School Accountability Report Card is available on the Internet at [www.cuca.k12.ca.us/schools.htm](http://www.cuca.k12.ca.us/schools.htm) and will be provided to parents upon request.

### **ATTENDANCE OPTIONS/PERMITS**

*(Education Code 48980 (h))*

Residency - EC 48200 and 48204

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

A student may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; an emancipated student who resides within the boundaries of the school district; a student who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a student residing in a state hospital located within the boundaries of the school district.

A school district may also deem a student having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the student are employed within the boundaries of the school district.

## **OPEN ENROLLMENT ACT TRANSFERS**

### *Board Policy 5118*

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (*Education Code 48354, 48356*)

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 5116.1 - Intradistrict Open Enrollment.  
(*cf. 5116.1 - Intradistrict Open Enrollment*)  
(*cf. 5117 - Interdistrict Attendance*)

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted between December 1 and February 1 of the preceding school year for which the transfer is requested.  
(*cf. 5111.1 - District Residency*)  
(*cf. 5111.12 - Residency Based on Parent/Guardian Employment*)

Parents/guardians are responsible for transporting their children to school.

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

## **INTERDISTRICT ATTENDANCE**

### *Board Policy 5117*

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

(*cf. 0520.3 - Title I Program Improvement Districts*)  
(*cf. 5111.12 - Residency Based on Parent/Guardian Employment*)  
(*cf. 5116.1 - Intradistrict Open Enrollment*)

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

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

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

## **INTERDISTRICT ATTENDANCE PERMITS**

### *Administrative Regulation 5117*

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons:

1. To meet the child care needs of the student. Such students may be allowed to continue to attend district schools only as long as they continue to use a child care provider within district boundaries.
2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel  
(*cf. 6159 - Individualized Education Program*)
3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
4. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year
5. To allow the student to remain with a class graduating that year from an elementary, junior, or senior high school
6. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district
7. When the student will be living out of the district for one year or less
8. When recommended by the School Attendance Review Board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence  
(*cf. 5113.1 - Truancy*)
9. When there is valid interest in a particular educational program not offered in the district of residence
10. To provide a change in school environment for reasons of personal and social adjustment

School site placement of students attending the Cucamonga School District on an Inter-district transfer agreement is at the discretion of the District. Procedures established under Board Policy and Administrative Regulation 5117 will apply once a student has been approved for attendance within the District.

Every interdistrict attendance permit shall stipulate the terms and conditions under which the permit may be revoked. (*Education Code 46600*)

The Superintendent or designee may deny initial requests for interdistrict attendance permits if school facilities are overcrowded at the relevant grade level or based on other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

Within 30 days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (*Education Code 46601*)

(*cf. 5145.6 - Parental Notifications*)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending, or during the term of the expulsion. (*Education Code 46601*)

(*cf. 5119 - Students Expelled from Other Districts*)

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

### **OPTIONS FOR MEETING RESIDENCY REQUIREMENT FOR SCHOOL ATTENDANCE**

Students are deemed to have complied with residency requirements for school attendance:

- (a) if placed in a regularly established licensed children's institution, licensed foster home or family home pursuant to a commitment under the Welfare and Institutions Code;
- (b) if attending under an approved inter-district attendance agreement;
- (c) if the student resides within the boundaries of the District and the parent/guardian have been relieved of responsibility through emancipation;
- (d) if the student's parent/guardian has established the student's residence in a home within the boundaries of the District where the home is located, and the home is properly licensed if required by law;
- (e) if a student resides in a state hospital within the boundaries of the District;
- (f) if attending under a caregiver affidavit;

Special Day Class services are provided within the District. Resource Specialist services are provided to qualified special education students at all school sites in the District. Title I Compensatory Education services are available at all elementary schools for students meeting the qualifying achievement criteria established at each site. Additionally, each elementary site participates in the School Based Coordinated Planning Program which provides for the development of a comprehensive plan with monetary support directed to improving student achievement.

### **AIDS/HIV AND FAMILY LIFE EDUCATION**

(*Education Code Section 51201.5 and 51553*)

The curriculum for family life education includes:

#### Fourth Grade -

1. Video Discussion Guide for "Always Changing, Always Growing"
2. Commonly Asked Questions: Questions that Girls ask
3. Choosing Feminine Protection Products
4. Video - "Always Changing, Always Growing" (Use girls' section only. Counter set at 0000, 18 minutes)
5. "What's Their Secret" hygiene packet, includes deodorant sample, pad, shampoo, and hygiene informational pamphlet

#### Fifth Grade -

##### Enhancing Self-Esteem

1. Journal writing activity
2. Appreciating Differences activity

##### Good Health Habits

1. Good nutrition, exercise and rest

##### Personal Hygiene

1. Clean and Fresh lesson

##### Understanding Puberty

1. Activity Sheet #4 - "When You Were My Age" (self-esteem, awareness and growth)
2. Activity Sheet #11 - Taking Care of Yourself (good health habits)
3. Check Your Clean IQ (personal hygiene)
4. No Sweat - Just Read It and Write! (personal hygiene)
5. Activity sheet #5 - Score Your Health and Grooming Habits (good health habits and hygiene)
6. Activity Sheet #2 - Personal Stories About Going Through Puberty

Girls:

1. The Female Reproductive System (Included as background information for the teacher. The reproductive system not emphasized until sixth grade)
2. The Menstrual Cycle
3. Menstrual Protection Products
4. Tampax video - "Kids to Kids: Talking About Puberty" - (Start counter at 0000, stop at 0856 which is "How to find the Right Feminine Protection." Fast forward and restart at 1232, "Health, Hygiene and Happiness," and watch until the end, Approximately 18 minutes total.)
5. Female Stages of Development
6. Facts About the Female Reproductive System
7. Activity Sheet #6 - Fact or Myth?
8. Activity Sheet #7 - Facts About the Menstrual Cycle
9. Activity Sheet #8 - Chart Your Menstrual Cycle
10. Your Menstrual Calendar
11. Girls: What's on Your Mind?
12. Hygiene products - "What's Their Secret?" - Deodorant, shampoo, pad and hygiene information for girls

Boys:

1. The Male Reproductive System (Included as background information for the teacher. The reproductive system not emphasized until sixth grade.)
2. Puberty Experiences for Boys
3. Questions Boys Ask
4. Always video - "Always Changing, Always Growing"- (Edited version without erection. Use the boy's section only. When counter started at 0000 at beginning of video, this section begins at 1455. The video says Boys in lower right corner. The video section lasts 12 minutes.)
5. Male Stages of Development
6. Facts About the Male Reproductive System
7. Boys: What's on Your Mind?
8. Hygiene products - "I'm Going to Make You Sweat" - Deodorant sample and hygiene information for boys

Sixth Grade -

1. Teen Health, Course 1 - Chapters 1, 3, 5
2. The Female Reproductive System
3. The Male Reproductive System
4. How the Male Reproductive System Works
5. Activity Sheet #1 - Facts and Fables
6. Activity Sheet #2 - Introducing Terry

Boys:

1. Activity Sheet #3 - From Boy to Man
2. Activity Sheet #4 - Male Reproductive System

Girls:

1. Activity Sheet #5 - Female Reproductive System

Seventh Grade -

1. Teen Health, Course 2 - Chapters 1, 3, 4, 7  
Includes supplemental activity booklets
2. Already in use as District Adopted Materials are:  
Here's Looking at You 2000  
Positive Prevention HIV/AIDS  
Teen Health, Course 2 - Chapter 11, Communicable Diseases

Eighth Grade -

1. Teen Health, Course 2 - Chapters 1, 3, 4, 7, 10  
Includes supplemental activity booklets

At the beginning of each school year or at the time of enrollment and prior to any instruction on AIDS/HIV and/or instruction in which human reproductive organs, their functions, processes or sexually transmitted diseases are described, illustrated or discussed, parents/guardians must be given a written notice explaining that the instruction will be given and information stating the parents/guardian's right to request a copy of *Education Code 51201.5 and 51553*. If arrangements for the instruction are made after the beginning of the school year, the parents/guardians shall be notified no fewer than 10, and no more than 15 days before the instruction is delivered. This notification shall include the date of the instruction, the name of the organization or affiliation of each guest speaker and information regarding the parent/guardian's right to request a copy of *Education Code 51201.5 and 51553*. (*Education Code 51554*). The code shall apply to programs provided by school employees and/or outside speakers or organizations. Parents/Guardians consent is required prior to his/her child receiving AIDS prevention and/or family life/sex education instruction. Parents have the right to review audio visual materials related to HIV/AIDS instruction. (*Education Code 51938*)

## **PARENT CONSENT/PHYSICAL EXAMINATION**

*(Education Code Section 49451)*

Parents may file a written statement annually with the school principal stating that they will not consent to routine physical examinations of their child and the child will then be exempt from such examination. Students with recognized contagious or infectious diseases or at risk of such diseases may, however, be excluded from school attendance.

*Resuscitation Orders (Board Policy 5141)*

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical “do not resuscitate” orders. Staff shall not accept or follow any such orders unless they have been informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student’s physician and an order from an appropriate court.

## **IMMUNIZATION FOR COMMUNICABLE DISEASES**

*(Education Code Section 49403)*

The Governing Board of any school district shall cooperate with the local health officer in measures necessary for the prevention and control of communicable disease in school age children, and may permit any person licensed as a physician and surgeon to administer an immunizing agent to any student whose parents have consented in writing to the administration of such immunizing agent.

Students may be excluded from attendance at District schools if they do not present evidence of immunization from certain infectious diseases as required by law. Such a student shall not be excluded, however, if the parent/guardian, in writing, requests exemption from the immunization requirement on the basis of the student’s physical condition or a conflict with the parent/guardian’s religious beliefs. *(Health and Safety Code 120335, 120365)*

## **NUTRITION**

*Board Policy 3553*

The Governing Board recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district’s food service program.

## **CONFIDENTIAL MEDICAL SERVICES**

*(Education Code Section 46010.1)*

At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students and to all students in grades 7 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student’s parent/guardian. *(Education Code 46010.1)* Students will be encouraged to consult with their parents.

## **ACCIDENT INSURANCE**

*(Education Code Section 49472)*

The medical costs of student accidents are the responsibility of the parent or guardian. Student accident insurance helps pay for the medical costs if a child is injured while under jurisdiction of the school. The contract is made between the parent or guardian and the insurance company. Cucamonga School District provides parents or guardians with application forms for school-time accident insurance. The principal of your child’s school will provide you with further information.

Vision Care, Dental Care and Medical Care are available for reasonable rates, some plans are available at for no-cost and low-cost health coverage for children from birth through age 18, through the State of California. For help in your language please call 1-800-880-5305.

## **CONTINUING MEDICATION AND ADMINISTRATION**

*(Education Code Section 49423.5 and CAC Title V Section 3797)*

State law requires that the parent or guardian notify the school when their child is on continuing medication for a non-episode condition. Special forms will be sent to you by the school office to complete and return. Permission for the school nurse to communicate with the physician and to counsel with school personnel regarding the possible effects of the drug is only possible with written permission of the parent or guardian. The school nurse or other designated school employee will administer prescribed medication during the school hours only upon written request of both the physician and the parent or guardian. Parents or guardians who wish this service to be performed must obtain the official District form from their school and return it completed to the office.

## **HEARING/VISION SCREENING**

*(Education code Section 49455)*

The District offers screening of all students to find any hearing and/or vision impairment. If the parent or guardian files a written statement refusing such examination, the student will be exempted.

## **CHILD ABUSE PREVENTION AND REPORTING PROCEDURES**

### **CHILD ABUSE PREVENTION TRAINING PROGRAM**

*(Welfare Institution Code 18976.5)*

Parents have the right to refuse to allow their children to participate in a child abuse primary prevention program.

Child abuse is a serious concern in our society. An estimated 2.4 million incidents of child abuse are reported each year in the United States, according to the Crime Prevention Coalition, a network of 136 national and state crime prevention organizations.

The Coalition also points out:

- ▶ More than three children die each day from child abuse and neglect throughout the nation.
- ▶ Since 1980, reported cases of child abuse have quadrupled.

- ▶ Child abuse occurs in all races, ethnic groups, and income levels, but is higher in families of extreme poverty.

This booklet was developed to help Cucamonga School District employees and parents be aware of child abuse and the process for reporting suspected child abuse.

**CHILD ABUSE:** *What it is and what it is not*

California has very strict laws prohibiting child abuse. Child abuse is a crime.

In general, child abuse is a physical injury which is inflicted by other than accidental means on a child by another person. Child abuse also means:

- ▶ Sexual abuse of a child.
- ▶ Willful cruelty or unjustifiable punishment of a child, willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody.
- ▶ Unlawful corporal punishment or injury resulting in a traumatic condition.
- ▶ Neglect of a child or abuse in out-of-home care. (Out-of-home care is defined in *Penal Code Section 11165.5* as a situation where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children, or an administrator or employee of a public or private school or other institution or agency).

Child abuse does not mean a mutual fight between minors. It also does not include an injury caused by the actions of a peace officer using reasonable and necessary force:

- ▶ To stop a disturbance threatening physical injury to a person or damage to property.
- ▶ To prevent physical injury to a person or damage to property.
- ▶ For purposes of self-defense.
- ▶ To obtain possession of a weapon or other dangerous object within control of a child.
- ▶ To apprehend an escapee.

In addition, child abuse does not include injury caused by any force that is reasonable and necessary for a person employed by or engaged in a public school:

- ▶ To stop a disturbance threatening physical injury to a person or damage to property.
- ▶ For purposes of self-defense.
- ▶ To obtain possession of a weapon or other dangerous object within control of a child, per *Education Code 44807 and 49001*.

The parent or guardian of a student has the right to file a complaint against a school district employee or other person who they suspect has engaged in abuse of a child at a school site.

How to file a complaint of child abuse by school employees

To ensure that an appropriate investigation takes place, the parent must file a verbal or written complaint with the local child protective agency, school district, or county office of education.

As defined in the Child Abuse and Neglect Reporting Act of 1987, local child protective agencies include:

- ▶ Child Protective Services  
(909) 945-3777 (8-5PM Mon-Fri.)  
After hours call (909) 387-5373 and in case of an emergency call:
- ▶ Rancho Cucamonga Police Dept.  
(909) 941-1488 (24 hrs.) or
- ▶ Ontario Police Department  
(909) 986-6711

The local child protective agency shall investigate the complaint (*Penal Code Section 11165.14*). If the complaint is substantiated, the child protective agency is required to forward a copy of the investigation report to the governing board of the local school district or county office of education.

Child protective agencies are also required to report every known or suspected instance of child abuse to the law enforcement agency having jurisdiction over the case and to the district attorney (*Penal Code Section 11166.g*).

The Cucamonga School District does its own internal investigation of suspected child abuse by District employees. Complaints against school employees may be filed with the school principal or the District Office.

**Board of Trustees**

Laura Hendison  
Elsie Millet  
Eric Montague  
David Ortega  
Yolanda Strong Reed

**District Administration**

Janet Temkin, Superintendent  
Marianne Jagers, Assistant Superintendent  
Business Services  
Richard Dahlin, Director of  
Personnel/Student Services

Joyce Kozyra, Principal  
Cucamonga Elementary  
8677 Archibald Ave.  
Rancho Cucamonga, CA 91730  
(909) 980-1318

Mariza Naylor, Principal  
Los Amigos Elementary  
8498 Ninth St.  
Rancho Cucamonga, CA 91730  
(909) 982-8387

Rebecca Speh, Principal  
THE ONTARIO CENTER SCHOOL  
835 N. Center Ave.  
Ontario, CA 91764  
(909) 948-3044

Bruce LaVallee, Principal  
Rancho Cucamonga Middle School  
10022 Feron Blvd.  
Rancho Cucamonga, CA 91730  
(909) 980-0969

**PARENT/GUARDIAN COMPLAINTS**

Upon request, the Superintendent or designee shall provide parents/guardians with procedures whereby they can report suspected child abuse occurring at a school site to appropriate agencies. Such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those procedures, an interpreter shall be provided for parents/guardians whose primary language is other than English. (*Education Code 48987*)

**Health Examinations**

No school official or staff member shall subject a student to a non-emergency, invasive physical examination as a condition for school attendance, except as permitted or required under California law. (*20 USC 1232h*)

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a properly authorized hearing, vision or scoliosis screening. (*20 USC 1232h*)

(*cf. 5131.61 - Drug Testing*)

(*cf. 5141.3 - Health Examinations*)

**ASBESTOS MANAGEMENT PLAN**

(*Education Code 763.93 & Federal Regulations Code Title 40 (40CFR)*)

Parents, teacher and employee organizations have rights to the availability of a complete, updated management plan for asbestos containing material in school buildings. For further information, contact the Administrator of Business Services.

**PESTICIDE PRODUCTS NOTIFICATION**

(*Education Code 17612*)

In alignment with *Education Code 17612* the school District designee shall annually provide to all staff and parents or guardians of students enrolled at a school site a written notification of the name of all pesticide products expected to be applied at the school facility during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product. The notice shall also contain the Internet address used to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to Section 13184 of the Food and Agricultural Code and may contain other information deemed necessary by the school district designee. No other written notification of pesticide applications shall be required by this act except as follows:

If a pesticide product not included in the annual notification is subsequently intended for use at the school site, the school district designee shall, consistent with this subdivision and a least 72 hours prior to application, provide written notification of its intended use.

The school designee shall make every effort to meet the requirements of this section in the least costly manner. Annual notification to parents and guardians shall be provided pursuant to Section 48980.3. Any other notification shall, to the extent feasible and consistent with the act adding this article, be included as part of any other written communication provided to individual parents or guardians. Nothing in this section shall require the school district designee to issue the notice through first-class mail, unless he or she determines that no other method is feasible. Pest control measures taken during an emergency condition as defined in Section 17609 shall not be subject to the requirements of paragraphs (1) and (2) of subdivision (a). However, the school district designee shall make every effort to provide the required notification for an application of a pesticide under emergency conditions.

The school district designee shall post each area of the school site where pesticides will be applied with a warning sign. The warning sign prominently display the term "Warning/Pesticide Treated Area" and shall include the product name, manufacturer's name, the United States Environmental Protection Agency's product registration number, intended date and areas of application, and reason for the pesticide application. The warning sign shall be visible to all persons entering the treated area and shall be posted 24 hours prior to the application and remain posted until 72 hours after the application. In case of a pest control emergency, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application.

Subdivisions (a) and (d) shall not apply to schools operated by the California Youth Authority. The school administrator of a school operated by the California Youth Authority shall notify the chief medical officer of that facility at least 72 hours prior to application of pesticides. The chief medical officer shall take any steps necessary to protect the health of students in that facility.

This section and Section 17611 shall not apply to activities undertaken at a school by participants in the state program of agricultural vocational education, pursuant to Article 7 (commencing with Section 52450) of Chapter 9 of Part 28, if the activities are necessary to meet the curriculum requirements prescribed in Section 52454. Nothing in this subdivision relieves schools participating in the state program of agricultural vocational education of any duties pursuant to this section for activities that are not directly related to the curriculum requirements of Section 52454.

## **COMPLAINT PROCEDURE UNIFORM COMPLAINT PROCEDURES**

*Board Policy - 1312.3*

The Governing Board recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures. (5 CCR 4620)

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance. (5 CCR 4610)

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs, and special education programs. (5 CCR 4610)

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

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

*(cf. 5148 - Child Care and Development)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6171 - Title I Programs)*

*(cf. 6174 - Education for English Language Learners)*

*(cf. 6175 - Migrant Education Program)*

*(cf. 6178 - Career Technical Education)*

*(cf. 6200 - Adult Education)*

Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies and misassignments shall be investigated pursuant to the district's Williams uniform complaint procedure (AR 1312.4).

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 5125 - Pupil Records)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

The Board prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

### **Compliance Officers**

The Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure District compliance with law:

Superintendent  
8776 Archibald Avenue, Rancho Cucamonga, CA  
(909) 987-8942

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.  
*(cf. 9124 - Attorney)*

### **Notifications**

The Superintendent or designee shall meet the notification requirements of 5 CCR 4622, including the annual dissemination of District complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.  
*(cf. 5145.6 - Parental Notifications)*

The above notification shall state that complainants may seek help from agencies such as legal assistance agencies, local mediation centers or the county office of education. Local resources include:

West End Special Education Local Area Plan  
8265 Aspen Avenue  
Rancho Cucamonga, CA 91730

County Office of Education  
San Bernardino County Superintendent of Schools  
601 North E Street  
San Bernardino, CA 92410

### **Procedures**

The following procedures shall be used to address all complaints which allege that the District has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision or ruling is made.

#### **Step 1: Filing of Complaint**

Any individual, public agency or organization may file a written complaint of alleged noncompliance by the District. Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. *(5 CCR 4630)*

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.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, District staff shall help him/her to file the complaint. *(5 CCR 4600)*

#### **Step 2: Mediation**

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

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 complaint unless the complainant agrees in writing to such an extension of time. *(5 CCR 4631)*

#### **Step 3: Investigation of Complaint**

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the District's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses. (5 CCR 4631)

#### **Step 4: Response**

Within 30 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 Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five 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. 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)

#### **Step 5: Final Written Decision**

The report of the District's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District shall arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

- The findings and disposition of the complaint, including corrective actions, if any (5 CCR 4631)
- The rationale for the above disposition (5 CCR 4631)
- Notice of the complainant's right to appeal the decision within 15 days to the California Department of Education, and procedures to be followed for initiating such an appeal (5 CCR 4631, 4652)
- For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies (5 CCR 4631; Education Code 262.3)
- A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved
- If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.

#### **Appeals to the California Department of Education**

If dissatisfied with the District's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the District's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. (5 CCR 4652)

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the District's decision and must include a copy of the locally filed complaint and the District's decision. (5 CCR 4652)

The California Department of Education may directly intervene in the complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists. In addition, the California Department of Education may also intervene in those cases where the District has not taken action within 60 calendar days of the date the complaint was filed with the District.

Note: 5 CCR 4665 and 4671 cover appeals of CDE decisions to the U.S. Secretary of Education. Certain complaints are within the purview of agencies other than the CDE. See 5 CCR 4611 for procedural information about allegations of child abuse, health and safety complaints related to a child development program, employment discrimination complaints, allegations of fraud, and discrimination issues involving child nutrition programs or Title IX complaints for which no state discrimination law or regulation is at issue.

#### **Civil Law Remedies**

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

## **WILLIAMS UNIFORM COMPLAINT PROCEDURES**

*Administrative Regulation 1312.4*

### **Types of Complaints**

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (*Education Code 35186; 5 CCR 4681, 4682, 4683*)

1. Textbooks and instructional materials
  - a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A pupil does not have access to textbooks or instructional materials to use at home or after school.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.(*cf. 6161.1 - Selection and Evaluation of Instructional Materials*)

2. Teacher vacancy or misassignment
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
  - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.(*cf. 4112.22 - Staff Teaching Pupils of Limited English Proficiency*)

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 the semester for an entire semester. (*Education Code 35186; 5 CCR 4600*)

Beginning of the year or semester means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (*5 CCR 4600*)

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. (*Education Code 35186; 5 CCR 4600*)

(*cf. 4112.2 - Certification*)

(*cf. 4113 - Assignment*)

3. Facilities
  - a. A condition poses an emergency or urgent threat to the health or safety of pupils or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition. (*Education Code 17592.72*)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with *Education Code 35292.5*.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (*Education Code 35292.5*)

Open restroom means, except as necessary for pupil safety or to make repairs, the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. (*Education Code 35292.5*)

### **Filing of Complaint**

A complaint alleging any condition(s) specified in items #1-3 above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (*Education Code 35186; 5 CCR 4680*)

### **Investigation and Response**

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (*Education Code 35186; 5 CCR 4685*)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At

the same time, the principal or designee shall report the same information to the Superintendent or designee. (*Education Code 35186; 5 CCR 4680, 4685*)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (*Education Code 35186*)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (*Education Code 35186; 5 CCR 4686*)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (*Education Code 35186; 5 CCR 4687*)

All complaints and written responses shall be public records. (*Education Code 35186; 5 CCR 4686*) (*cf. 1340 - Access to District Records*)

### **Reports**

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (*Education Code 35186; 5 CCR 4686*)

### **Forms and Notices**

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. However, complainants need not use the district's Williams complaint form in order to file a complaint. (*Education Code 35186*)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in *Education Code 35186*. (*Education Code 35186*)

## **WILLIAMS UNIFORM COMPLAINT PROCEDURES**

### **NOTICE TO PARENTS/GUARDIANS: COMPLAINT RIGHTS**

Parents/Guardians:

*Education Code 35186* requires that the following notice be posted in your child's classroom:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, 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.

4. A complaint form can be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site:  
<http://www.cde.ca.gov/re/cp/uc>.

## COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?      Yes      No

Contact Information:

Name:

Address:

Phone Number Day:

Evening:

E-mail address, if any:

Location of the problem that is the subject of this complaint:

School:

Course title/grade level and teacher name:

Room number/name of room/location of facility:

Date problem was observed:

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (*Education Code 35186; 5 CCR 4681*)

A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.

A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.

Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (*Education Code 35186; 5 CCR 4681*)

A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school 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.

A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions: (*Education Code 35186, 35292.5; 5 CCR 4683*)

A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.

A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

