



## **Annual Notification to Parents and Guardians 2025-2026**

### **Acceptable Use of Technology**

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

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

The Hillsborough City School District maintains and annually updates its management plan for asbestos - containing material in school buildings. For a copy of the asbestos management plan, please contact the Manager of Maintenance and Grounds.

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

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

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

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

for transfer. Nor may a district prohibit an interdistrict permit release when no interdistrict permit options are available to a victim of bullying. "Bullying" means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post or a social network internet website or burn page that creates a credible impersonation of another student knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying.

A student who is appealing a decision for an interdistrict permit approval through the County Office of Education may be eligible for provisional admission to the desired district in Grades K through 12, while continuing through the process of appeal, if space is made available by the desired district, not to exceed two months.

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

Each school district shall post their interdistrict policy agreements and local district caps on their district and/or school websites. Reasons for approval and denial of interdistrict transfer request must be updated on the district website according to board policies. The County appeal process may take up to a maximum of two months. If you have any questions about the interdistrict process please call the district office at 650-342-5193.

#### **Intradistrict Choice - EC 35160.5(b)**

Residents of the school district may apply to other schools that serve the same grade levels within the district. No pupil who currently resides in the attendance area of a school can be displaced by pupils transferring from outside the attendance area. Students who are a victim of bullying shall be allowed an intradistrict permit to transfer if space is available at the same grade level. If there is no "intra-district" space to attend, the student may seek an "inter-district" permit to another district without any delay in release from the home district, but it does not guarantee entrance to an outside district. The process to enter another school district will be according to the desired district's transfer policies. A "victim of an act of bullying" means a pupil that has been determined to have been a victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any pupil in the school district of residence, and the parent of the pupil has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency. "Bullying" means any severe or pervasive physical or verbal communication made in

writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on physical or mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post on a social network internet website or burn page that creates a credible impersonation of another student knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying.

#### **Availability of Prospectus - EC 49063, 49091.14**

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

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

Hillsborough City School District urges parents to make sure their children attend school regularly and to schedule medical, dental, counseling and other appointments after school, on the weekend if possible or during school holidays. The district also asks that travel or other absences be avoided during the time that school is in session.

The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences.

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

#### **Tardiness - EC 48260 (a)**

Children should be encouraged to be prompt as part of developing good habits. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. A student will be classified as truant if they are tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year.

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

A student is classified as a truant after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the student

is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205.

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

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

#### **Chronic Absenteeism - EC 60901**

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

#### **Truant Consequences - EC 48263, 48267, 48268, and 48269; WIC 236, 601, 601.3, 653.5, 654, and 651.5**

Any student who is identified as “Truant” may be assigned as a ward of the court, if the available community resources do not resolve the students’ continued problem of truancy, by a Probation Officer or Deputy District Attorney.

#### **California Healthy Youth Act - EC 51930-51939**

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

Parents or legal guardians have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education.
3. Request a copy of Education Code sections 51930 through 51939, the California Healthy Youth Act.

4. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants.
5. Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.
6. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
  - a) The date of the instruction, and
  - b) The name of the organization or affiliation of each guest speaker.

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

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

### **Child Abuse and Neglect Reporting - PC 11164**

The Hillsborough City School District is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (*i.e.*, Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents and guardians of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident by contacting 650-342-5193.

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

1. To stop a disturbance threatening physical injury to people or damage to property;
2. For purposes of self-defense;
3. To obtain possession of weapons or other dangerous objects within control of a student;
4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

**Civility on School Grounds - CC 1708.9; EC 32210**

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

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

**Child Find System - EC 56301; 20USC1401(3); 1412(a)(3); 34CFR300.111(c)(d)**

Under state law, each public school system is responsible to find children with disabilities in its area Free Appropriate Public Education (FAPE) - Each public school system is responsible for ensuring that each child with disabilities is served appropriately, at no expense to the parent in the least restrictive environment.

**Concussion and Head Injuries - EC 49475**

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

**Confidential Medical Services - EC 46010.1**

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

**Controlled Substances: Opioids - EC 49476**

School authorities must provide facts regarding the risks and side effects of opioid use each school year to athletes. Parents and student athletes must sign acknowledgement of receipt of the document annually.

## **Custody Issues**

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

## **Dangerous Objects**

Often, students like to bring objects, such as a collector's item, to school to show their friends. Examples of these objects include, but are not limited to, laser pointers, mini baseball bats, martial arts weapons (e.g., nunchaku, throwing stars), or any other sharp, pointy objects. Students should refrain from bringing objects that have the potential to inflict serious bodily injury to others.

## **Dangers of Synthetic Drugs - EC 48985.5**

Fentanyl is a major contributor to drug overdoses in California, including among youth. Fentanyl is an extremely potent and dangerous synthetic opioid, like heroin and morphine, and is laboratory engineered to be about 50 times stronger than heroin and 100 times stronger than morphine which can lead to fatal overdoses. Fentanyl is difficult to detect in ways that are not noticeable to the user. People who make or sell drugs sometimes add small amounts of fentanyl – in ways that are not noticeable to the user – to other substances because of its extreme potency, making the drugs cheaper, more powerful, more addictive, and more dangerous.

The U.S. Department of Justice Drug Enforcement Administration has directly connected social media drug sales to overdose deaths. Drug traffickers advertise on social media platforms like Facebook, Instagram, Snapchat, TikTok, Twitter and YouTube. Posts and stories are often accompanied by known code words and emojis that are used to market and sell illicit and deadly drugs. Social media drug trafficking impacts all age groups, but adolescents and young adults are particularly susceptible given their high rates of social media usage.

Fentanyl misuse may result in an intense, short-term high; temporary feelings of euphoria; slowed respiration and reduced blood pressure, nausea, fainting; seizures or death. Methamphetamine misuse may result in agitation, increased heart rate and blood pressure, increased respiration and body temperature, anxiety, and paranoia. High doses can cause convulsions, cardiovascular collapse, stroke, or death. Overdose may result in stupor, changes in papillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death. The presence of a triad of symptoms such as coma, pinpoint pupils, and respiratory depression are strongly suggestive of opioid poisoning.

With a fentanyl-poisoned drug supply, avoiding drug use is the surest way to prevent an overdose. The only safe medications are ones that come from licensed and accredited medical professionals. For more information, review the Facts About Fentanyl on the CDPH website: <https://www.cdph.ca.gov/Programs/CCDPHP/sapb/Pages/Fentanyl.aspx>

### **Directory Information - EC 49073**

“Directory Information” includes one or more of the following items: student’s name, address, telephone number, e-mail address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. The District has determined that the following individuals, officials, or organizations may receive directory information: Hillsborough Schools Foundation, Associated Parents’ Group, and Hillsborough Recreation.

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

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

Natural and human-caused disasters affect everyone which is why it is important to be prepared at home, at school, at work, and in the community. Parents and guardians are encouraged to review the safety educational materials provided on the California Department of Education webpage: <https://www.cde.ca.gov/ls/ep/schoolemergencyres.asp>  
The materials are available in multiple languages and can be used to help families prepare for different types of emergencies and crises.

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

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

### **Electronic Nicotine Delivery Systems (e-cigarettes) - PC 308**

The Hillsborough City School District prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in

district vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.

Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code. Section 308 of the Penal Code also states that every person under 18 years of age who purchases, receives, or possesses any tobacco, cigarette, or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking of tobacco, tobacco products, or any controlled substance shall, upon conviction, be punished by a fine of seventy-five dollars (\$75) or 30 hours of community service work. They also shall be subject to student discipline.

### **Electronic Signaling Devices - EC 48901.5**

The use by any person, including a pupil, of any electronic signaling device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. The only allowable use would be acceptable if it is determined by a licensed physician that the pupil must use for the health and safety of a pupil. Any pupil in violation shall be subject to appropriate disciplinary action.

Smartphone use may be prohibited by districts, charter schools, and county schools while a student is at a school site and under supervision and control of staff. There are health and special education limits or usage that may differ from the general student population, but must be in writing and kept on file in student records for confidential record keeping and reasons.

### **Educational Equity: Immigration and Citizenship Status - EC 200, 220, 234.1; Article 5.7 to EC 234.7, EC 66251, 66260.6, 66270, 66270.3**

The Equity in Higher Education Act states that all persons, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status have equal educational rights and opportunities including financial aid for higher education to also be equitable, and an application may not be denied of a student based on their immigration status. See updated "Know Your Educational Rights" information: <https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>

### **Education of Foster Youth - EC 48204, 48853, 48853.5, 51215.1, 51225.2**

HCSD will work with foster youth to ensure and facilitate the proper educational placement. Developed by the California Foster Youth Education Task Force, see California Education Code sections pertaining to foster youth: <https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>.

### **Education of Homeless Youth - 42 USC 11432; EC 48853, 51225.1, 51225.2**

HCSD will work to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children. Unaccompanied youth, such as teen parents not

living with their parent/guardian or students that have run away or have been pushed out of their homes, have access to these same rights. Information about the rights of homeless youth is available: <https://www.cde.ca.gov/sp/hs/cy/documents/homelesspostereng.pdf>

### **English Learners Identification Notice - EC 313.2**

State law requires that parents of English learners are to be notified annually if they are identified as one of the following: “Long-term English Learner” or “English learner at-risk of becoming a Long-term English Learner”. The district coordinator for English Language Development will be sending these notices at the beginning of each school year.

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

EC 49414 requires school districts to provide epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history. Emergency epinephrine auto-injectors must be stored in an accessible location along with a copy of written training material upon need for emergency use. Notice of location must be publicly posted.

Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives.

### **Entrance Health Screening**

Effective July 1, 2024, the Child Health and Disability Prevention (CHDP) Program was discontinued. After this date, it is no longer required for school-aged children to have a physical exam before enrolling. Therefore, the Report of Health Examination for School Entry (PM 171 A) and the Waiver of Health Examination for School Entry (PM 171B) are no longer required forms. However, health examinations for school entry are recommended to ensure students' health and readiness for school. Please see the attached letter for additional information: <https://www.dhcs.ca.gov/services/chdp/Documents/CHDP-Joint-Letter-CDE-DHCS.pdf>

### **Excused Absences - EC 46014, 48205**

- 1) Due to the pupil's illness.
- 2) Due to quarantine under the direction of a county or city health officer.
- 3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.

- 4) For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
- 5) For the purpose of jury duty in the manner provided for by law.
- 6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
- 7) For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
- 8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- 9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- 10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- 11) For the purpose of participating in a cultural ceremony or event.
- 12) (A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident. (i) To access services from a victim services organization or agency. (ii) To access grief support services. (iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation. (B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.

- 13) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore, the teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence. For purposes of this section, attendance at religious retreats shall not exceed one school day per semester. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

**Free & Reduced Price Meals - EC 49510-49520; 49564-49564.5, 49557.5**

Adequate nutrition is essential to the development, health and well-being, and learning of all students. Education Code (EC) 49501.5 requires public school districts, county offices of education, and charter schools serving students in grades TK–12 to provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free-or reduced-price meal eligibility. Schools serving grades 1-6 will serve breakfast or a morning snack to non-school-aged children with a guardian present.

**Gun-Free School Zone Act - PC 626.9, 30310**

California prohibits any person from possessing a firearm on, or within 1,000 feet from, the grounds of a public or private school, unless it is with the written permission of a School District official. This does not apply to law enforcement officers, any active or honorably retired peace officers, members of the military forces of California or the United States, or armored vehicle guards engaged in the performance of, or acting in the scope of, their duties. A person may also be in possession of a firearm on school grounds if the firearm is unloaded and in a locked container or within the locked trunk of a motor vehicle. A violation of this law is punishable by imprisonment in a county jail for up to six months, a fine of up to \$1,000, or both imprisonment and fine.

**Harm or Destruction of Animals - EC 32255-32255.6**

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

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

### **Independent Study - EC 51745 et seq., AB 130**

The independent study program serves as an optional alternative instructional strategy by which students may reach curriculum objectives and fulfill school requirements. Independent study offers a means of individualizing the education plan for students whose needs may be best met through study outside of regular classroom setting. Independent study is voluntary and entails a commitment by both the parent/guardian and student. An independent study agreement is reviewed with, and signed by, the student and parent/guardian. Parents with a child with an individualized educational program (IEP) may request a time to meet with the IEP team to discuss if the independent study option is an appropriate placement. This notification is required by law.

Parents may request a short-term independent study program for their child. This request may be due to an emergency, vacation, or illness. Independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes. The minimum period of time for any independent study option shall be five consecutive school days.

As a result of Assembly Bill 130 (Ch. 44, Statutes of 2021), the school district may approve the independent study program participation of a student whose health would be put at risk by in-person instruction. The independent study program will meet all of the legal requirements for educational progress, grade-level standards, synchronous instruction, and student engagement. Along with many of our program support opportunities, each independent study program will offer:

- For pupils in grades Kindergarten to 3, inclusive, a plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year.
- For pupils in grades 4 to 8, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.
- A plan to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days. Note: Space may not be available at the student's original school or the student may not have their first choice classes.

Parents choosing an independent study option may request a pupil-parent-educator conference meeting before enrollment to review the academic program delivery, student support, enrollment process, specific academic expectations as well as the withdrawal process.

### **Immunizations - EC 49403, 48216; HSC 120325, 120335, 120365, 120370, 120375**

To protect the health of all students and staff and to curtail the spread of infectious diseases, students must be immunized against certain communicable diseases. Students may not be admitted into any elementary or middle school, preschool, or childcare and development program for the first time nor be admitted or advanced into grade 7 unless they have met the immunization requirements. The parent's guide to ["Required Immunizations for School Entry"](#)

from the California Department of Public Health (CDPH) website can be accessed by clicking on the link.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunization records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

Medical exemptions may only be submitted using the standardized form developed by CDPH. To request such an exemption, parents are to first register for a California Immunization Registry – Medical Exemption (CAIR-ME) account at <https://cair.cdph.ca.gov/exemptions/home> to obtain a medical exemption request number before going to their child's doctor.

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the student's parent will receive notice that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against a communicable disease.

The District will cooperate with state and local public health officials in measures necessary for the prevention and control of communicable diseases in school age children. The District may use any funds, property, or personnel and may permit an authorized health care provider to administer an immunizing agent to any student whose parents have consented in writing. When feasible, the California Immunization Registry – a secure, confidential, statewide computerized immunization information system for California residents – may be accessed to track immunization records, reduce missed opportunities, and help fully immunize students of all ages.

#### **Instruction for Pupils with Temporary Disabilities - EC 48206.3, 48207, 48208, 48980**

*Temporary disability* means a physical, mental, or emotional disability incurred while a student is enrolled in a regular or an alternative education program, and after which the student can reasonably be expected to return without special intervention. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs.

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

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

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

A pupil with a temporary disability may remain enrolled in the district of residence or charter school and may attend regular classes when not confined to the hospital setting, the total days of instruction may not exceed the maximum of five days with both school settings and attendance may not be duplicated. If necessary, the district of residence may provide instruction in the home for the days not receiving instruction in the hospital setting, depending upon the temporary doctor orders. The supervisor of attendance shall ensure that absences from the regular school program are excused until the pupil is able to return to the regular school program.

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

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

#### **Medication Regimen - EC 49423, 49480**

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

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

In order for a student to carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication at school, the parent must provide a written statement consenting to the self-administration and a written statement from the physician/surgeon or physician assistant detailing the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine or inhaled asthma medication. The parent's written statement must provide a release for the school nurse or other designated school personnel to consult with the

student's health care provider regarding any questions that may arise with regard to the medication and must release and the District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. A student may be subject to disciplinary action if the student uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed. All requests are to be approved by the school nurse prior to use.

#### **Megan's Law - PC 290.45, 626.81**

The District will respond as directed or advised by a law enforcement agency due to the presence of a registered sex offender on school grounds - law enforcement is the agency best able to assess the relative danger of a sex offender. Parents requesting information about sex offenders in the community should either contact law enforcement or access the Megan's Law webpage from the California Department of Justice's website: <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

#### **Mental Health and Minors Consent to Services - EC 49428**

A child's mental health is essential to their social and cognitive development, and to learning healthy social skills and how to cope when there are problems. Mentally healthy children have a positive quality of life and can function well at home, in school, and in their communities. Mental health problems that are not recognized and treated in childhood can lead to severe consequences, including exhibiting serious behavior problems, at higher risk of dropping out of school, and increased risk of engaging in substance abuse, criminal behavior, and other risk-taking behaviors. As such, the District is committed to promoting the well-being of its students by ensuring that, at least twice a year, students and parents are each provided with information on how to initiate access to available student mental health services at school and/or in the community. In order to initiate access to available pupil mental health services, you may contact the Director of Student Services. Our school district will notify parents at least twice per year. This is one time through our Annual Notifications. We will also notify you again a second time each school year.

A minor who is 12 years of age or older may consent to mental health treatment or counseling services if the minor is mature enough to participate intelligently in the outpatient services or counseling services. The professional person treating or counseling the minor is required to consult with the minor before determining whether involvement of the minor's parent or guardian would be inappropriate. These service providers can bill Medi-Cal as appropriate.

#### **Minimum Days & Student-Free Staff Development Days - EC 48980(c)**

To assist parents with planning for their student's childcare needs, medical appointments, and other activities, the school calendar includes minimum days and student-free staff development days. Please refer to the school calendar provided in this document; the calendar is also posted on the District's website at <https://www.hcsdk8.org/Page/2>. If any additional minimum days or student-free staff development days are scheduled during the school year, parents of all

students affected by the change shall be notified as soon as possible, but no later than one month before the scheduled minimum or student-free day.

#### **Nondiscrimination Statement - EC 221.8**

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

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

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

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

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

and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

#### **Oral Health Assessment - EC 49452.8**

Having a healthy mouth helps children do well in school. So, to make sure children are ready for school, state law requires children to have an oral health assessment or dental check-up in their first year in public school – whether in transitional kindergarten, kindergarten, or first grade. Dental assessments must be completed in the 12 months prior to entry or by May 31<sup>st</sup> of the pupil's first school year. The dentist will complete the Oral Health Assessment form, which then must be submitted to the school as proof that the assessment has been done. The school shall maintain the privacy of all students' health information. A student's identity shall not be associated with any report produced as a result of this requirement.

#### **Parent Engagement - School Accountability - EC 11500, 11501, 11502, 11503**

To participate in the district offerings of parent education and to provide parental input to the local training programs for parents, please contact the school site of which your child attends or the district office at 650-342-5193 for more information on how you may contribute.

#### **Pesticide Products - EC 17612, 48980.3**

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

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application.

#### **Physical Examination - EC 48980, 49451; 20 USC 1232h**

Periodic health examinations of students may lead to early detection and treatment of conditions that impact learning. These examinations may also help determine whether the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act or Section 504. However, a parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student shall be exempt from any physical examination, but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably recognized. The pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

**Property Damage - EC 48904**

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

**Pupil Records - EC 49063, 49069.7, 49070; 20 USC 1232g**

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

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

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 pupil. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605.

**Rights of Parents and Guardians to Information - EC 51101**

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

- 1) Within a reasonable period of time after making the request, to observe their child's classroom(s).
- 2) Within a reasonable time of their request, to meet with their child's teacher(s) and

the principal.

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

**Requirement of Parent/Guardian School Attendance - EC 48900.1**

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

**Safe Place to Learn Act - EC 234, 234.1**

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

**School Safety: Bullying - EC 234.4, 32283.5**

The School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying including cyberbullying on social media. Annual training will be provided to all staff who work with students, to prevent bullying and cyberbullying. You may find a list of education web pages describing the staff training at: <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>. If you or your child should experience any bullying on campus, at school events, or on the way to or from school, please contact our district counseling liaison, Director of Student Services, available to assist you in identifying and stopping this behavior at 650-342-5193.

**School Safety Plan - EC 32280, 32282, 46705 and 47605.6**

Each Hillsborough City School District school site has a Comprehensive School Safety Plan, which includes a plan for disaster preparedness, emergency procedures and assessment and response to reports of dangerous, violent, or unlawful activities conducted or threatened to be conducted at school, a school activity or on a school bus. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school.

**Search of School Lockers - EC 49050**

School lockers remain the property of the Hillsborough City School District even when assigned to students. The lockers are subject to search whenever the District finds a need to do so. The use of the school locker for other than school-related purposes is prohibited.

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

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. The District provides a free and appropriate public education to all pupils regardless of the nature or severity of their disability. The District has a responsibility to identify, evaluate, and if eligible, provide pupils with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. To qualify for Section 504 protections, the pupil must have a mental or physical impairment which substantially limits one or more major life activities. For additional information about the rights of parents of eligible pupils, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the Section 504 Coordinator, the Director of Student Services.

### **Sexual Harassment - EC 231.5, 48980(f)**

The Hillsborough City School District is committed to maintaining a learning and working environment that is free from sexual harassment and discrimination. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. The Director of Human Resources is the District's designated Title IX Coordinator. The Title IX Coordinator is responsible for coordinating the District's efforts to comply with Title IX sexual harassment complaint procedures, as well as to oversee, investigate, and/or resolve sexual harassment complaints processed under the Uniform Complaint Procedures. The District's written policies and reporting procedures on sexual harassment can be found at the following link:

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030262&revid=dIVbiPyawVggBdJGB5plusplusg==&ptid=amlgTZiB9plushNjl6WXhfiOQ==&secid=&PG=6&IRP=0&isPndg=false>

The administrative regulation on sexual harassment can be viewed here:

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030262&revid=4DyLiMwj6WXoKPjUGowlgw==&ptid=amlgTZiB9plushNjl6WXhfiOQ==&secid=&PG=6&IRP=0&isPndg=false>

### **Student Conduct - EC 51100**

Parents and guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including disciplinary rules and procedures on attendance policies, dress codes, and procedures for visiting the school. For more information, please contact the site principal.

### **Surveys - EC 51513, 51514**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1)

this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. Questions pertaining to the sexual orientation and gender identity of a student shall not be removed from a survey that already includes them.

### **Suspension and Expulsion - EC 48900**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to 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 a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
  - (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
  - (3) Except as provided in Section 48910, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
- (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.

(D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image.

(ii) A post on a social network internet website, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii) (I) An act of cyber sexual bullying.

(II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

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

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

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

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

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

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.

- (w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

**Sexual Harassment - EC 48900.2**

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

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

**Hate Violence - EC 48900.3**

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

**Harassment, Threats or Intimidation - EC 48900.4**

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

**Limitations on Imposing Suspension - EC 48900.5**

Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49072. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

**Terroristic Threats - EC 48900.7**

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the

superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

#### **Mandatory Expulsion Violations - EC 48915**

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

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive. The school board shall order the student expelled upon finding that the student committed the act.

#### **Title IX - EC 221.61**

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including sexual harassment. California law further provides that all students (as well as other persons) are protected – regardless of their sex, gender, gender expression, gender identity, sexual orientation, disability, race, or national origin – in all aspects of the District's educational programs and activities. It also provides that students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. The essence of Title IX is to ensure that students (as well as other persons) are not excluded, separated, denied benefits to, or otherwise treated differently on the basis of sex unless expressly authorized to do so under state or federal law in areas including, but not limited to: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex

education; and employment. For more information about Title IX, or how to file a complaint of noncompliance with Title IX, contact the Director of Human Resources at 650-342-5193 and/or visit our website at [www.hcsdk8.org](http://www.hcsdk8.org).

#### **Tobacco-Free Campus - BPC 22950.5; HSC 104420, 104495, 104559, PC 308**

The use of tobacco and nicotine products is prohibited on school or district grounds, buildings, and vehicles, and within 250 feet of a youth sports event. Tobacco products include, but are not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (e.g., electronic cigarette, vape pen, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids.

#### **Uniform Complaint Policy and Procedure - 5 CCR 46004670; EC 33315**

The Hillsborough City School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, including those related to unlawful discrimination, harassment, intimidation, or bullying against any protected group, and all programs and activities that are subject to the Uniform Complaint Procedures (UCP). A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. The parent may appeal to CDE within 15 days if not in agreement with the final report. Please contact the Director of Human Resources if you would like more information on how to file a complaint with the school or district, prior to appealing to the CDE. For more information you may go to the CDE website: <https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp>

#### **Victim of a Violent Criminal Offense - 20 USC 7912**

A student who is determined to be a victim of a violent criminal offense, while in or on the grounds of a school that the student attends, has the right to transfer to another district school. If there is not another school within the area served by the district, the district is encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring school district to accept pupils through an interdistrict transfer. The District has 14 calendar days to make the determination and offer the student an option to transfer. In making the offer, the Superintendent or designee shall consider the needs and preferences of the affected student and the student's parent. Once the parent accepts the offer, the transfer shall be completed as soon as practicable.

In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee will consider the specific circumstances of the

incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

#### **Walking or Riding a Bicycle to School - VC 21212**

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

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

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