

# ***Hillsborough City School District***

## ***Annual Notification to Parents/Guardians***

### ***2020-2021***

#### **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 he/she is enrolled.

Regardless of whether an agreement exists or a permit is issued, the school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer. Nor may a district prohibit an interdistrict permit release when no intradistrict 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 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.

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. Please contact the District Office at 650-342-5193 for additional information and the process. No pupil who currently resides in the attendance area of a school can be displaced by pupils transferring from outside the attendance area.

**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 Directory of Educational Services for a copy of the prospectus.

**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, body image, gender, sexual orientation, relationships, marriage, and family; and 3) have healthy, positive, and safe relationships and behaviors. It also promotes understanding of sexuality as a normal part of human development.

Parents or legal guardians have the right to:

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

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

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

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

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

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

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

### **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.

### **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. Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the district receives consent as required under state law). 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.

### **Educational Equity: Immigration Status: EC 66251, 55260.6, 66270 and 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, or any other specified characteristic such as hairstyles, equal rights and opportunities and adds this opportunity to apply for financial aid for higher education to also

be equitable, and an application may not be denied of a student based on their immigration status. This does not guarantee any final eligibility, but simply an ability to apply for financial aid just like any other student, without discrimination.

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

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

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

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

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

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, 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 pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at

the discretion of the superintendent of the school district.

(10) For the purpose of attending the pupil's naturalization ceremony to become a United States Citizen.

- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

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

The school offers healthy meals every school day because children need healthy meals to learn. Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Pupils participating in the program will not be identified, and the information on the application will be kept confidential. Applications may be submitted at any time during school hours. Application forms maybe obtained at the school and/or District Office.

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

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

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

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

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

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

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

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

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

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

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

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact 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 School District does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

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

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

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. Student may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives both a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and a written statement from the parent or guardian requesting that the student self-administer. All requests are to be approved by school nurse prior to use.

### **Mental Health: EC 49428**

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.

### **Nondiscrimination Statement**

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 Human Resources Manager.

### **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.

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

To participate in the district offerings or parent education and 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) 341-5193 for more information on how you may contribute.

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

To obtain a copy of all pesticide products and expected use at the school facility during the year, and to receive notification of individual pesticide applications at the school at least 72 hours before the application, please contact 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 schoolsite integrated pest management plan may be found if the schoolsite has posted the plan.

### **Physical Examination – EC 49451; 20 USC 1232h**

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

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

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records. The District will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. 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.

### **Safe Place to Learn Act – EC 234 and 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 incidence and/or to receive a copy of the district's antidiscrimination, antiharassment, anti-intimidation, and antibullying policies, please contact the school principal or the District Office.

### **School Safety: Bullying: EC 234.4 and 32283.5**

The School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. 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 liaison, Director of Student Services who is available to assist you in identifying and stopping this behavior at: 650-342-5193.

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

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

### **Surveys – EC 51513 and 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.

### **Title IX – EC 221.61**

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects male and female pupils and employees, as well as transgender pupils and pupils who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, pupils may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting pupils may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. For more information about Title IX, or how to file a complaint of noncompliance with Title IX, contact: the Human Resources Manager at 650-342-5193 , and/or visit our website at [www.hcsd.k12.ca.us](http://www.hcsd.k12.ca.us)

### **Uniform Complaint Policy and Procedure – 5 CCR 4600 *et seq.***

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, 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 program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics; 5) unlawful imposition of pupil fees for participation in educational activities in public schools; 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3; 7) noncompliance with physical education instructional minutes at specified grade levels; 8) inappropriate assignment of a pupil to courses without educational content or previously completed and received a grade sufficient for satisfying the requirements for high school graduation and admission into post-secondary education; 9) noncompliance with education provisions for pupils in foster care, who are homeless, or who are former juvenile court school students; and 10) failure to reasonably accommodate lactating pupils.

A complaint must be filed no later than six months from the date the complainant first

obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the Human Resources Manager who will coordinate an investigation and response within 60 calendar days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

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

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

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

#### **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.

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

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

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

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

## **Rights of Parents and Guardians EC 51101 (in part)**

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

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

## **Grounds for Suspension and Expulsion**

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

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished 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) Stolen or attempted to steal school property or private property.

(h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit *the* use or possession by a pupil of his or her own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

(k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a

method of initiation or 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 his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to

participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) “Electronic act” means the creation or transmission originated on or off the school site, 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 Web site, including, but not limited to:

(I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

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

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

(iii) An act of cyber sexual bullying.

(I) 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 above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(II) 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, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school sponsored activity.

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

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

(v) For a pupil subject to discipline under this section, a superintendent of the school district or

principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.

(w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

#### **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 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

#### **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.

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

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

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

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

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

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

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

(D) Robbery or extortion.

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

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

(b) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph

(1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:

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

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

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

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

(2) Brandishing a knife at another person.

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

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

48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

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

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

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

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

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

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

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision

(b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section, “knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term “explosive” means “destructive device” as described in

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

The District has a duty under both Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act to identify, locate and assess children with disabilities who are in need of regular or special education and related aids and services. Eligible children with disabilities are entitled to a free, appropriate public education. If you believe that your child is in need of regular or special education and related aids and services, you may initiate a referral for assessment by contacting the school site principal.

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

Requires every local educational agency to designate a staff person as the educational liaison for foster children to: 1) ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children; and 2) assist foster children when transferring from one school/district to another school/district in ensuring proper transfer of credits, records, and grades. The California Department of Education, in consultation with the California Foster Youth Education Task Force, has developed and posted on its Internet Web site a standardized notice of the educational rights of foster children that the educational liaisons for foster children can disseminate. The notice must include the following rights, as specified in EC 48850, 48911, 48915.5, 49069.5, 51225.1, and 51225.2:

1. Stable school placements in the least restrictive education programs, with access to the academic resources, services, and extracurricular activities that are available to all pupils. This includes

- the right to remain in the school of origin and the right to matriculate with his or her peers.
2. Immediate enrollment in the school of origin or school where the foster youth is currently residing, whether in a licensed children's institution, licensed foster home, or a family home following a commitment or placement under the Welfare and Institutions Code.
  3. Proper and timely transfer between schools. This includes the coordination between the local educational agency and the county placing agency, and the transfer of educational information and records of the foster youth to the next educational placement.
  4. No lowering of grades if the foster youth is absent from school due to a decision by a court or placing agency to change his or her placement, or due to a verified court appearance or related court ordered activity.
  5. Issuance and acceptance of partial credits for courses that have been satisfactorily completed by the foster youth. The foster youth shall not be required to retake the portion of the course already completed unless it has been determined that he or she is reasonably able to complete the requirements in time to graduate from high school.
  6. Not be required to retake a course the pupil has satisfactorily completed.
  7. Notified of the possibility of graduating within four years with reduced state requirements, if the foster youth transferred after the second year of high school, is credit deficient, and will not be able to graduate on time with local district requirements.
  8. Invitation extended to the foster youth's attorney and representative from the county child welfare agency to attend the extension of suspension meeting, the manifestation determination meeting (if applicable), and the expulsion hearing related to a disciplinary proceeding involving the foster youth.
  9. File a complaint of noncompliance with the local educational agency under the Uniform Complaint Procedures.

Note: A copy of the standardized notice can be obtained by clicking the following link:

[www.cde.ca.gov/ls/pf/fy/documents/fosteryouthedrights.pdf](http://www.cde.ca.gov/ls/pf/fy/documents/fosteryouthedrights.pdf).

### **Education of Homeless Youth: EC 48853, 49069, 51225.1, 51225.2**

Requires every local education agency to appoint a homeless liaison to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children. Unaccompanied youth, such as teen parents not living with their parent/guardian or students that have run away or have been pushed out of their homes, have access to these same rights. Notification may address:

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

Notice of educational rights of homeless children must be disseminated at places where children receive services, such as schools, shelters, and soup kitchens.

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

Parents are to be notified by schools that in addition to the child's English proficiency status, for which they are notified using the English Language Proficiency for Assessments for California (ELPAC), and they are to be notified that their child is a "Long-term English Learner" or is an "English learner at-risk of becoming a Long-term English Learner".

### **Migrant Students– EC 48204.7**

Requires every local education agency to ensure parents of migrant pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children. Notification may address:

1. Circumstances for eligibility, according to migrant student eligibility status and permanent housing obtained timelines.
2. For students in grades 1-8, the migrant student may complete the duration of the school year, if permanent residency is obtained.
3. For students in grades 9-12, the migrant student may continue through graduation regardless of permanent residency obtained.
4. If students should migrate during times of matriculation, the migrant students may attend school with peers at the next school grade level and location.
5. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers.
6. Right to education and other services (e.g., to participate fully in all school activities and programs for which child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment).
7. Right to be notified of possibility of graduating within four years with reduced state requirements, if the migrant student transferred after the second year of high school, is credit deficient, and will not be able to graduate on time with local district requirements.
8. Right for district to accept partial credits for courses that have been satisfactorily completed by the migrant student.

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

Requires the annual notification to advise parents and guardians of all pupils attending a school of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school should notify parents and guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day.

### **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 product includes, but is not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (e.g., electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids.

### **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.

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

The Hillsborough City School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments after school or during school holidays. The district also asks that travel or other absences be avoided during the time school is in session. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences.

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

#### Tardiness

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

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

A student is considered truant after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the student is considered 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 he/she is absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and student engagement.

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

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) 342-5192.

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

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

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

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

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

**Custody Issues**

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

**Dangerous Objects**

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.

**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 Web page at:

<http://www.cde.ca.gov/ls/ss/cp/pupilsafetyeducmat.asp>.

The materials are available in multiple languages and can be used to help families prepare for different types of emergencies and crisis.

**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.

### **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.

### **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. 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.

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

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

### **Property Damage – EC 48904**

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

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

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

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

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

**Search of School Lockers**

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**

Parents or guardians should be informed of the following: the Director of Student Services and/or site Principals are the people designated by the district responsible for implementing Section 504, the screening and evaluation procedures used whenever there is reason to believe that a student has a disability that limits his or her ability to attend or function at school, the right to a written accommodation plan if the student is found to have a disability that requires services under Section 504, the right to be educated with nondisabled students to the maximum extent appropriate to the student’s individual needs, and notice of the procedural safeguards guaranteed by law.

**Student Conduct – EC 51100**

Duties of Pupils – 5 CCR 300

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

Jurisdiction – EC 44807

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

Walking or Riding a Bike to School – VC 21212

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