

ANNUAL NOTIFICATION OF RIGHTS AND RESPONSIBILITIES

As required by law, we wish to notify you, as parents and/or guardians of students enrolled on our schools, of your rights and responsibilities. I ask, therefore, that you please take time to carefully review the information in this booklet. After your review, please sign and return to your child’s school this parent/guardian acknowledgment indicating you have received and reviewed these materials. If you have any questions regarding this information, please feel free to contact our District office at (805) 467-3216.

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgement. By signing below, you are neither giving nor withholding consent for your child to participate in any program; you are merely indicating that you have received and read the booklet with notices regarding your rights relating to activities which might affect your child.

My signature indicates that I have received and read the following information:

- Parent/Guardian Notification of Rights
- School Discipline Code, Rules, Student /Parent Handbook
- Student Internet Use Policy and Agreement (separate document)

Student’s Name _____
Last First Middle

School _____ Grade _____

Parent /Guardian Signature _____ Date _____

RELEASE OF DIRECTORY INFORMATION AND OTHER PERMISSIONS

State and Federal law requires school districts to release “directory information” to certain persons or organizations. Using this form, you may have the district withhold this information. [E.C. 49061(c), 49070, 56515; NCLB]

Yes No 8th grade: My child’s address may be released to a company for cap and gown, and/or school pictures.

Yes No My phone number and address may be given out for school-related use (PTO, School Directory, Graduation Committee).

Additionally,

Yes No My child may be interviewed, have his/her picture taken, be identified by name in newspaper articles, and on television and radio programs.

Yes No San Miguel Joint Union has my permission to transport my child by school bus on school-sponsored activities.

My signature indicates that my permission is given as indicated above.

Student Name _____

School _____ Grade _____

Parent/Guardian Signature _____ Date _____

Welcome

Our San Miguel Joint Union School District team looks forward to working together with you provide the best educational experience for our students. Here's what you can expect from us:

- All our teachers are qualified and knowledgeable in instruction and subject matter.
- We will model for and teach our students the ethics of hard work, responsibility, good citizenship and exemplary character.
- Teachers will teach a State standards aligned course of study.
- Teachers will monitor student progress carefully and communicate with parents/guardians.

We also want you to know some expectations we have for parents/guardians.

- Send child prepared to learn.
- Send your child on time everyday.
- Provide an appropriate workspace for your child at home.
- Check your child's homework each evening.
- Show your child how much you value school by becoming involved.

Working together we will make a positive difference in the lives of our children. If you have any questions or concerns, please contact your child's teacher, the assistant principal, office staff or principal. Thank you for your cooperation and support.

Dean Smith
Superintendent

"Achieving Excellence for All"

Our Mission:

We are dedicated to the belief that:

All students shall achieve world-class academic standards.

All staff shall achieve the standards of an effective school environment.

Through our successful endeavors we shall develop productive and responsible citizens for our community.

Mission Statement adopted 2002

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SCHOOL RULES

You have a right to review school rules regarding student discipline. If you wish to do so, please contact the school office. [E.C.35291, 48980]

ATTENDANCE

☀ General Absences

Children cannot learn if they are not in school. California schools no longer receive funding for students who are sick or excused. It is essential that your child attend school whenever possible, for part of a day after or before appointments. However, other attendance requirements still rely on excused and unexcused tallies. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

1. Notwithstanding E.C. 48200, a pupil shall be excused from school when the absence is:
 - A. Due to his or her illness.
 - B. Due to quarantine under the direction of a county or city health officer.
 - C. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - D. 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.
 - E. For the purpose of jury duty in the manner provided for by law.
 - F. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - G. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - H. For the purpose of serving as a member of a precinct board for an election pursuant to Sec. 12302 of the Election Code.
 - I. Participation in religious instruction or exercises in accordance with district policy.
2. 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 thereof. The teacher of any class from which a pupil is absent shall determine the tests and assignments, which shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
3. For purposes of this section, attendance at religious retreats shall not exceed four days per month. [E.C. section 46014].
4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
5. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." [E.C.46014, 48205]

☀ Parental Consequences for Non-Attendance

Any parent or guardian who fails to ensure their student's attendance may be guilty of an infraction and can be punished as follows: \$100 for first conviction; \$250 for second conviction; \$500 for third conviction; Rather than a fine, a parent or guardian may be placed in parent education or counseling program; \$1,000 for willful violation of a court order directing that student must be enrolled in school or program. [E.C. 48293]

☀ Attendance Options

It is the intent of the Legislature that the governing board of each district is to annually share the opportunity for existing school choices and review the enrollment options available to pupil within their districts and that the districts strive to make available enrollment options that meet the diverse

As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We suggest you read it. We must get the signed form returned or your child may not be able to attend classes. This page talks about when your child is absent from school. Only in certain cases is it permissible for a student to miss school.

Teachers build your child's education one day at a time, so every day is essential. In elementary, middle, junior, and high school, moving ahead, or even graduation, can be put in jeopardy if too many days are missed. Work with the teacher when a child must miss school. Get homework assignments and review work. There is only one chance to get a great education.

needs, potential, and interests of California pupils. In school districts of choice, priority can be given to children of military personnel. [E.C. 48301, 48306, 48308, 46314]

❁ **Interdistrict Attendance**

Although students generally must attend school in the district where their parents/guardians reside, the Governing Board recognizes justifiable reasons for occasional interdistrict transfers. Upon request, the Board may accept students from another district and may also allow students who live within the district to attend out-of-district schools. Interdistrict attendance agreements may be approved for reasons such as the following:

1. To meet the childcare needs of the student (K-8). Once a student has been admitted to a district school or feeder elementary school on the basis of childcare needs, continued attendance may be denied only when based on restrictions specified in Education Code 48204. [E.C. 46601.5]
2. When special mental or physical health needs of the student are certified by a physician, school psychologist or other appropriate school personnel.
3. To complete a school year when parents/guardians have moved out of the district during that year.
4. To allow students to remain with a class graduating that year from a middle or senior high school, even if the family moved out of the district the previous year.
5. For social adjustment reasons when mutually agreed upon by the Superintendent and principal of the student's current school and an authorized representative of the school the student would otherwise attend.

Interdistrict transfers may occur when class enrollment in the district will permit the addition of nonresident students. Whenever interdistrict requests are granted, they shall be granted solely on a space available basis except under very special circumstances for reasons 2 or 5 above, as determined by the Superintendent and Principal.

Permission to attend will be allowed based on the following class size criteria:

- No requests for interdistrict attendance will be granted which would result in more than 26 students per class in grade K-12 or cause any class to exceed class size maximums for special departments or programs (i.e., State Class Size Reduction program of 20).
- When requests for interdistrict attendance are granted, students living in the attendance area shall not be excluded from any classes to make room for the out-of-district student.[BP 5117(b)]
- In addition, requests to attend based on parent employment may be denied based on excess costs, class size, or staff impacts (see Policy 5111.1). The children of San Miguel Joint Union School District employees may be granted admission by the Board as exceptions to the class size rule based on the Board's finding that there are benefits to the district when school employees' children are located at the school; such benefits exceed the cost of higher class size.

Transportation normally provided for students living in the District may be provided for students attending on an interdistrict attendance agreement if space is available and if approved by the Superintendent of designee.

The district of origin shall issue individual interdistrict attendance permits, valid for the current school year verifying district approval for students transferring out of the district. These permits become valid when signed by an authorized representative of the district of future attendance. The district of attendance shall stipulate how and why the permit may be revoked.

Students Expelled from Other Districts

The Governing Board realizes that students expelled from school for serious offenses represent a possible danger to the students or staff at other schools in which they may seek to enroll. In order to identify and prohibit the enrollment of any such potentially dangerous student in the district, the Superintendent or designee shall request expulsion information from the expelling district whenever it receives an enrollment from an individual who has been expelled. Information about students expelled from the district shall be supplied within five (5) working days to any other district that requests it.

The Superintendent or designee shall hold a hearing whenever it finds that the person seeking enrollment was expelled from another district.

The hearing and notice shall be conducted in accordance with expulsion procedures described in Education Code 48918 and in administrative regulations.

Upon determining, at this hearing, whether the individual in question poses potential danger to district students or employees, the Superintendent shall either deny enrollment for the remainder of the expulsion period, permit enrollment, or permit conditional enrollment. If the student is found not to pose a danger, he/she shall be admitted or conditionally admitted. If the enrollment is permitted, an Interdistrict agreement shall be required unless the student has, since being expelled, established legal residence in the district. [E.C. 48915.1]

Denial of Interdistrict Agreement

The parent / guardian of a student who is denied an Interdistrict agreement shall be notified in writing, and informed of the right within 30 days of their request to appeal the denial first to the Governing Board, and then, if still denied, to the County Board of Education.

☛ Attendance Where Caregiver Resides

If your child lives in the home of a care-giving adult, as defined by law, your child may attend the school district in which that child residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the care-giving adult is required to determine that your child lives in the caregiver's home. [E.C. 48204(d) and 48980(g)]

☛ Attendance in District Which Parent/Guardian is Employed

Your child may have the option of attending school in the school district where you or your spouse is employed. If interested, call the school office for information. [E.C. 48204(b)(f), 48980(i)]

☛ Individualized Instruction

If your child has a temporary disability preventing him/her from attending regular classes, the district will provide individual instruction when possible. [E.C. 48206.3, 48980(b)]

☛ Pupils in Hospitals Outside of School District

If, due to a temporary disability, your child is in a hospital or other residential health facility, which is located outside your school district, he/she may be eligible to attend the school district in which the hospital is located. [E.C. 48207] If this situation should arise, you should notify both the district where you reside and where the hospital is located so that individualized instruction, if possible, can be provided. [E.C. 48208]

☛ Minimum Days/Pupil Free Staff Development Days

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. The dates that were known at press time are printed in the calendar in the booklet. [E.C. 48980(c)]

NOTICE OF ALTERNATIVE SCHOOLS

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

(a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness,

courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choice 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, teacher, 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 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. [E.C. 58501]

DISCIPLINE

☛ Philosophy of Discipline

Good behavior is expected of all students all of the time. This means acting in a safe and respectful manner. Discipline is the loving, consistent, firm training of children to make wise and appropriate choices about their behavior. We use logical and progressive consequences of rewards and restrictions to encourage good behavior. In order to help students understand what is expected of them and what consequences follow from violation of the rules, the school has developed a code of behavior based on the California Education Code. For each offense during an academic year, there is a prescribed consequence ranging from a conference with the teacher to a conference with the Assistant Principal/Principal for minor misbehavior to suspension for major offenses. For very serious offenses, the school may make immediate recommendation for expulsion.

Unfortunately, society has been forced to set some rules as well. This section talks about those rules.

As a parent, you are the best person to set rules and consequences for your children.

Playground Conduct

1. Character counts everywhere, all the time. Safety and respect are foremost!
2. Adult supervisors are to be respected and obeyed.
3. All play must stop immediately when the bell rings or the whistle blows.
4. Student are to go outside at recess unless he/she has written permission from a teacher, administrator or parent
5. Students must ask permission of the playground supervisor before leaving the playground.
6. Students must use the playground / athletic equipment responsibly; this includes sharing, taking turns, following procedures fro checking out / checking in equipment.
 - a. Swings –Do not push others while they are on the swings
Stay safely away from swings
Students may count to 25 while waiting their turn
 - b .Slides - Only use the slide as intended
Do not walk/run up the slide
Wait at the bottom of the ladder until the person at the top has left
Never push while on the slide
Clear the end of the slide as soon as you land
 - c. Tetherball - 2 Wins and then both players go to the end of line.
 - d. Dodgeball – All throws below the waist. Only one ball permitted. Rough play not permitted
 - e. Play Structures – Use only as designed. (Climbing on chain on primary is not permitted.)
7. Non-school toys, balls, video games and other personal items are not permitted on the playground
8. No food, candy or gum is allowed on the playground.
9. Teasing, name calling, swearing, rough play, disruptive or defiant behavior are not permitted on the playground.
10. Students must wear appropriate cold-weather coats and sweaters when instructed.
(All other school rules apply as appropriate.)

The playground is a privilege, not a right.

Students who play by the rules will be able to enjoy the playground.

Students who do not obey will have consequences.

Severe incidents or repeatedly inappropriate student behavior will result in the loss of playground privileges.

Consequences

Primary Grade and Intermediate Levels: Refer to teacher's classroom discipline plan for specifics.

Grades 7-8:

Earn good behavior points to attend these events. Each student starts each quarter with 100 points. The points are deducted for the items below. Students with 76 or more points (86 or more in grades 7-8) at the end of the quarter qualify for the event. Students will have a choice to make for certain minor infractions to avoid having points deducted. Minor incidents i.e.: tardy, lost book, being unprepared for class, chewing gum, minor talking and other similar incidents. These infractions can be a deduction of –4 points, detention, appropriate work or a fine.

Point Deduction Scale:

- 1 Late assignment (grades 4&5)
- 2 Missing assignments (tallied by end of each quarter)
- 4 Noon Detention
- 8 After-school Detention
- 10 Referral to Office – immaturity
- 12 Referral to Office – Unsafe conduct/ disrespect/referral by a substitute
- 15 Referral to Office – defiance/truancy
- 23 In-School Suspension
- 25 Missing final term paper or project
- 25 Suspension from School

Discipline Continuum:

- Level 1: Recess/Class Period Detention
- Level 2: After-School Detention
- Level 3: Referral
- Level 4: In-School Suspension from class
- Level 5: In-School Suspension for the day
- Level 6: Out of School Suspension
- Level 7: Expulsion

Be Respectful:

- Perform class work and homework promptly
- Be courteous to staff and students
- No CD players, I Pod's, radios, disruptive items, electronic devices, etc.
- Cutting in line is not allowed
- Protect school and student property
- Profane and vulgar language is not allowed
- Obscene gestures are not allowed
- Maintain a school free of any harassment
- Attend school regularly and on time
- Share equipment
- No marks or stickers in or on lockers/books

Bus Rules:

- Stay in seats on bus facing forward
- Keep out of the aisle when bus is moving
- Keep all parts of body inside bus windows
- No insubordinate behavior
- No excessive noise
- Be silent at railroad crossings
- Do not tamper with bus equipment
- No bus stop changes without a parent note
- Prohibited on bus: Dangerous objects, glass, live animals, I Pod's, Radios, CD players, etc. food or drink

☀ Positive Behavior Consequences

Classroom: Each teacher will establish rules and rewards in their classroom discipline plans (which are developed, revised and updated at the beginning of each school year). These rules will be clearly posted and reviewed with the class. The rewards such as homework pass, a certificate, free time, etc. will encourage good work, good behavior, etc. The rewards may be given personally or publicly depending on the situation and the student's needs. They will be part of a planned program to recognize and reinforce desired behavior. One example often used in the primary grades is the "Happy Hornet/Dragon Award." Teachers issue tickets to students who are "caught" being good. Each ticket is worth a chance to win rewards/privileges. Other awards include:

Honor Roll: GPA 3.0 for semester grades.

School wide: Classroom Student Awards recognizing students who demonstrate improvement, academic excellence or noteworthy behavior.

School wide Good Citizenship Events: Classroom incentives, assemblies, field trips, popcorn-movie party, etc., are for students who demonstrate good behavior.

☀ Release of Student to Peace Officer

If a school official releases your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [E.C. 48906; Penal Code 11165.6]

☀ Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$10,000 in damages and another maximum of \$10,000 for payment of a reward, if any. The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property

returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. [E.C. 48900.1, 48904; Civil Code 1714.1]

Parent attendance at anti-gang class

If a minor is found to be a first time offender in a gang-related offense, then the parents can be required to attend and pay for attendance in an anti-gang violence parenting class. [Welfare and Institutions Code 727.7]

☀ Student Search

The school principal or designee may search a student, the student's locker, backpack or purse if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. [U.S. Supreme Court Case: New Jersey v. T.L.O. (1985) 469 U.S. 325]

☀ Playground Procedures

- ❖ Verbal Warning
- ❖ Detention
- ❖ Benched or trash pick up, for rest of play period
- ❖ Referral to principal or student services

☀ Library Procedures

- ❖ Verbal Warning
- ❖ Sent back to class
- ❖ Three times sent back results in no unsupervised use of library
- ❖ Books left out on campus or in class unattended will be taken to Student Services Office. Students may pay a \$0.25 fine or lose good behavior points when they pick up the book.

☀ Cafeteria Procedures

- ❖ Use appropriate "inside" voice
- ❖ Keep your hands to yourself.
- ❖ Wait patiently in line. Be ready with your number.
- ❖ Always be polite and courteous. Use **"please and thank you"**.
- ❖ Stay seated and raise your hand if you need something or need to go to the restroom.
- ❖ Pick up all your trash and any other trash in your area.
- ❖ Go around the tables, not through them, when you are dismissed.
- ❖ Be thankful for and appreciate your food.

☀ Cell Phones, Pagers, Electronic Signaling Devices

Districts may regulate the possession or use of any cell phone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. [E.C. 48901.5]

ANY OF THE FOLLOWING OFFENSES WILL RESULT IN IMMEDIATE SUSPENSION FROM BUS RIDING PRIVILEGES:

- ❖ Unauthorized opening, or exit from emergency doors or windows.
- ❖ Tampering with radio or bus controls.
- ❖ Fighting on bus or at bus stop.
- ❖ Lighting matches or cigarettes on bus.
- ❖ Damaging or defacing bus.
- ❖ Repeated disobedience to driver resulting in a possible safety hazard.
- ❖ Any other Ed. Code Violations.

Grades K-6

- ❖ First offense of misconduct: Verbal warning, report to parent, detention, on-campus suspension or other on-campus consequences.
- ❖ Second offense: Written citation with verbal report to parent, detention, on-campus suspension or other on-campus consequences. Copy to principal, Transportation Office, and driver's file.
- ❖ Third offense: Written citation with verbal report to parent and immediate suspension of transportation up to two weeks. Copy principal, Transportation Office, and driver's file.
- ❖ Fourth offense: Written citation with verbal report to parent. Rider will be denied transportation services up to the remainder of the school year. Copy to principal, Transportation Office, and driver's file.

Grade 7-8

- ❖ First offense: Written citation with verbal report to parent, detention, on-campus suspension or other on-campus consequences. Copy to principal, Transportation Office, and driver's file.
- ❖ Second offense: Written citation with verbal report to parent and immediate suspension of transportation up to two weeks. Copy principal, Transportation Office, and driver's file.
- ❖ Third offense: Written citation with verbal report to parent. Rider will be denied transportation services up to the remainder of the school year. Copy to principal, Transportation Office, and driver's file.

✿ Grounds for Suspension or Expulsion

A pupil may 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 one or more subdivisions:

- (a) 1. Caused, attempted to cause, or threatened to cause physical injury to another person: or
2. Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such 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, any 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 any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of Health and Safety Code, and alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any 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 any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (r) A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or expelled for acts which 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.
- (s) 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 suffer suspension but not expulsion, pursuant to the provisions of 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).
- (t) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (u) A superintendent or principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
- (v) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities. [Amended by AB 1411, Ch. 21, Statutes of 2003]

🔴 Mandatory Suspension/Expulsion

Education Code Section 48915(a): 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 finds that the expulsion is inappropriate, due to the particular circumstance:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Section 240 and 242 of the Penal Code, upon any school employee.

Education Code Section 48915(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 or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

STUDENT DRESS AND GROOMING CODE

Parents and students should refer to this dress code when purchasing school clothes.

General Guidelines: All students shall dress appropriately for school with attention to neatness, safety, and personal and public health. **All clothing and grooming that may create a distraction, impede the educational process, or show intent of being associated with gangs, shall not be allowed. At no time shall undergarments be seen, including bra straps and boxers.** Administration will make final determination of whether a student's clothing meets the student dress and grooming code.

Head: Hair nets, bands or other headgear generally considered to imply gang association are not allowed. Knit hats or caps are not to be worn indoors. *Reminder: California state law requires safety headgear to be worn by any student that rides a bicycle to school.* Hats are to be worn with bills forward.

Shirts and Blouses: No low-cut, see-thru, skin-tight, strapless, or short tops. A top is too short if bare skin is exposed when both of the student's arms are by their side. Tops may not gape at the chest or side. Cleavage and undergarments must be covered at all times. No body suits, sports bras, leotards, undershirts, or other skintight tops are allowed unless worn as undergarments.

Skirts, Dresses, Pants, Shorts, and Overalls: Skirts and dresses must be worn no shorter than the level where the student's fingertips strike the thigh when standing with arms straight down at the sides. Shorts are to be worn no shorter than the level where the student's thumb strikes the thigh when standing with arms straight down at the side. Pants must be worn so that they are level with the hipbone. Over-sized pants or belts that do not fit a student are not permitted. No body suits, leotards, bicycle shorts, or other skin tight bottoms allowed, unless worn as undergarments that do not show. Overall bibs must be fastened and buttoned on both sides.

Specific Inappropriate Items: No symbols, slogans, pictures or other designs that are considered by the school to be any of the following: gang related, promote tobacco, alcohol or illegal drugs, promote violence, racism or crude behavior, contain sexual innuendo or otherwise is offensive. These symbols, slogans, pictures or designs might include, but are not limited to Old English lettering, depiction's of prison, partially clothed figures, gang symbols such as the use of the number 13, gang colors, or weapons. Chains, dangling belts or dangerous jewelry are not allowed. Traditional jewelry may be worn if appropriate for school and safety. Body and facial piercing will not be allowed.

Miscellaneous Items: Belts must be worn through the belt loops. Footwear should be appropriate for school activities and must stay on feet. K-6 students may not wear sandals, thongs, or open heeled shoes. Make up is not allowed in K-6. Minimal make-up is allowed for Junior High students. Tattoos, body art or body writing whether temporary or permanent are not to be visible. Hairstyles should be worn in a safe configuration that does not distract from the educational process. The following items should not be brought to school unless approved for a school project, electronic devices, laser pointers, personal games, CD players, I Pod's, or radios. Pagers/cell phones should not be turned on during school hours unless used with the permission and in the presence of a school official or to call 911 in the case of an emergency. A signed contract must be on file in the office before bringing a pager or cell phone on campus. Absolutely no weapons, either real or toys, will be permitted.

If in Doubt, Don't Wear or Bring

STUDENT SERVICES

☀ Services to Disabled Pupils

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, bring this to the attention of the school office. Your child will be evaluated to determine whether he/she is eligible for free special instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. [E.C. 26020 et seq., 56040, 56301; 20USC 1412; CFR 300.121]

☀ Advance Placement Examination Fees

State funding is available to all students to cover the costs of advanced placement exam fees. [E.C. 52244]

☀ School Lunch Program

Your child may be eligible for free or reduced cost lunch. An application will be sent to all students' homes. [E.C. 49510 – 49520]

☀ Career Counseling

When all students are provided career counseling and course selection opportunities, all students are provided equal services. Parents may participate in counseling session. [E.C. 221.5]

☀ Student Use of Technology

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. The Internet provides access to electronic mail, college/university and other libraries, information and news from a variety of sources and research institutions, software of all types, and discussion groups on a wide variety of topics.

The Governing Board recognized that technology provides ways to access the most current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. In addition, electronic resources foster workplace skills that may be transferable to new technologies. The School District is pleased to make access to this valuable resource available as a privilege to student and staff.

The Superintendent/Principal shall establish administrative regulations governing use of the District's on-line services. He/she shall ensure proper use of the system. Students who fail to abide by these regulations shall be subject to disciplinary action, revocation of the user account, and/or legal action as appropriate.

☀ On-Line Services/Internet Access

To discourage access to adult content on on-line electronic services and preclude other misuses of the system, the Superintendent or designee shall establish age/grade-level qualifications and shall ensure that students receive training in user obligations and responsibilities.

Before using on-line services, the student and parent/guardian shall sign the District's User Contract indicating that the student understands and agrees to abide by specified user obligations and responsibilities.

Staff shall closely supervise students while using on-line services and may ask teacher aides and student aides to assist in this supervision. (cf. 5144 – Discipline) (cf. 5144.1 – Suspension and Expulsion /Due Process) (cf. 5145.12 – Search and Seizure) (cf. 6162.6 – Use of Copyrighted Materials)

☀ Communications

The following communications regarding activities, menus, and academic progress will be used to help keep students and parents informed and involved:

- School News – Come home monthly
- Monthly Calendar – Includes cafeteria menus and major school events.
- Classroom Newsletters – Each teacher will send home periodic newsletters to let you know what is being taught and how you can help.
- Progress Reports – Periodically for grades K-6, and for Junior High students, a progress report will be sent home to indicate deficient areas, any subject in danger of getting a D or F grade at the quarter.
- Conferences – Parents of all students are expected to attend conferences. The school will set up appointments. March conferences are required for parents of students doing poorly but optional for others.

☀ School Accountability Report Card

The School Accountability Report Card is available on request. It contains information about the district and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. [E.C. 33126, 32286, 35256, 35258, 52056]

We are glad to offer the services listed in student and health service sections. As do you, we recognize that students need to be healthy, rested, and well fed in order to learn to the best of their ability. To protect your child and others from the spread of contagious diseases, a doctor-signed note is required as proof your child was immunized.

Additionally, State law requires that schools watch for or test for childhood diseases and other health-related matters.

Health Services

Kindergarten and First Grade

Physical Exam

State law requires that for each child enrolling in the first grade, the parent must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file with the school district a waiver stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. [E.C. 49450; Health and Safety Code 12485, 124100, 124105, 120475]

These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP).

For information, you may contact:

County Health Department
723 Walnut Dr.

Paso Robles, CA 93446 (805) 237-3050

Kindergarten and First Grade Oral Health Assessment

Parents or guardians must have their child's oral health assessed by May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed dental health professional.

The District Oral Health Assessment/Waiver Request form is available from the District or online at www.cde.ca.gov/ls/he/hn/ and must be filled out at the dental office. If you cannot fulfill this requirement, please give the reason in Section 3 of

the form. By law student health information is confidential.

The following resources can help you complete this requirement:

1. Medi-Cal/Denti-Cal at 800-322-6384, <http://www.denti-cal.ca.gov/>;
2. County Health Department listed in this section, <http://www.dhs.ca.gov/mcs/medi-Calhome/CountyListing1.htm>;
3. HealthyFamilies at 800-880-5305, <http://www.dhs.ca.gov/mcs/medi-Calhome/CountyListing1.htm>.

Many things impact a child's school progress and success, including health. Children must be healthy to learn, and children with cavities are not healthy. Baby teeth are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school. [E.C.49452.8]

Immunizations

Immunizations must be up-to-date before admission to any K-12 school program is granted. To enter or transfer into public or private elementary or secondary schools (grades kindergarten through 12), children under age 18 years must have immunization as outlines below. New 7th grade entry requirements went into effect July 1, 1999. A varicella requirement for kindergarten entry went into effect July 1, 2001. Vaccines and required doses are:

Vaccine	Required Doses
Polio	4 doses at any age but... 3 doses meet requirement for ages 4-6 if at least one was given on or after the 4 th birthday; 3 doses meet requirement for ages 7 –17 years if at least one was given on or after the 2 nd birthday.
Diphtheria, Tetanus, and Pertussis <i>Age 6 years and under (Pertussis is required)</i> DTP, DtaP, or any combination of DTP or DtaP with DT (tetanus and diphtheria).	5 doses at any age, but... 4 doses does meet requirement for ages 4-6 if at least one was on or after the 4 th birthday,
<i>Age 7 years and older (Pertussis is not required)</i> Td, DT, or DTP, DtaP or any combination of these.	4 doses at any age, but... 3 doses meet requirements for ages 7 –17 years if at least one was on or after the 2 nd birthday. If last dose was given before the 2 nd birthday, one more (Td) dose is required.
7 th grade Td booster	1 dose not required but recommended if more that 5 years have passed since last DTP, DtaP, DT, or Td dose.
Measles, Mumps, Rubella (MMR) <i>Kindergarten</i> <i>7th grade</i> <i>Grades 1-6 and 8-12</i>	2 doses* both on or after 1 st birthday. 2 doses* both on or after 2 nd birthday. 1 dose must be on or after 1 st birthday.
Hepatitis B <i>Kindergarten</i> <i>7th grade</i>	3 doses 3 doses**
Varicella*** <i>Kindergarten</i>	1 dose on or after 1 st birthday or health care provider documented varicella disease of immunity.

* Two doses of measles-containing vaccine required. One dose of mumps and rubella-containing vaccine require; mumps vaccine is not required for children 7 years of age or older.

** Two doses of the 2-dose formulation given at age 11 – 15 years along with provider documentation that the 2-dose formulation was used for both doses will also fulfill this requirement.

*** Effective Date 7/1/01.

☛ Medication

Children may take medication, which is prescribed by a physician, and get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken: and
2. Parent, guardian or caregiver submits a written statement indicating his/her desire that the school district assist his/her child in taking the medication; and
3. Parents or guardian signs a release statement on a special form available from the district. [E.C. 49423, 49480]

Children may carry and self-administer a blood glucose level test and diabetes care, inhaled asthma medication and auto-injectable epinephrine if the rules in one through three above are met. [E.C. 49414.5, 49423, 49423.1]

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the district designee of the medication being taken, the current dosage, and the name of the supervising physician. [E.C. 49480]

☛ Physical Examinations

If you want your child to be exempt from physical examinations at school, file a written statement with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [E.C. 49451]

☛ Scoliosis (curvature of the spine) Screening

Between grade 6 and 8, your child may be screened for scoliosis (curvature of the spine), unless you submit a written denial of consent. [E.C.49452.5]

☀ **Vision Appraisal**

Your child's vision will be checked by an authorized person between grades kindergarten through 8, unless you present to the school a certificate from a physician or optometrist verifying prior testing or a letter stating it violates your faith in a recognized religious belief. [E.C. 49455, 49452]

☀ **Sun Protection**

Students when outdoors can wear sun protective clothing, including, but not limited to hats. [E.C. 35183.5] Students may also apply sunscreen during the day without a doctor's note or prescription. [E.C. 35291, 35294.6]

☀ **Confidential Medical Services**

According to the Education Code, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. School districts are permitted to grant such excuses, but are not required to do so. [E.C. 4610.1]

☀ **Information for Use in Emergencies**

For the protection of your child's health and welfare, we ask that you fill out and return the enclosed Emergency Information Card. [E.C. 49408]

☀ **Medical and Hospital Insurance for Students**

The district **DOES NOT** provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school ground or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. The school district assumes no liability for accidents to pupils at school.[E.C. 49472]

Unless state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state or federally sponsored health insurance programs. Information about these

programs may be obtained by calling Healthy Families/Medi-Cal for Families (888) 747-1222.

☀ **Sight and Hearing Test**

The school district is required to provide for the testing of the sight and hearing of each student enrolled unless you submit a written denial of consent. [E.C. 49452]

☀ **Drug, Alcohol and Tobacco Prevention Programs**

This notice is provided in compliance with the requirements of state and federal law as a part of the District's drug, alcohol, and tobacco prevention programs. The unlawful manufacture, distribution, dispensation, or use of illicit drugs, alcohol, or any form of tobacco product on District premises or as a part of any of its activities is wrong, harmful and is strictly prohibited. All pupils will abide by this prohibition as a condition of attendance. Any violations of District or school standards of conduct, rules and regulations or state or federal laws regarding illicit drugs, alcohol and tobacco will be investigated. Violator will be subject to prosecution in accordance with local, state and federal law and District disciplinary action up to and including expulsion, and/or required to satisfactorily complete a drug abuse assistance, tobacco cessation program, or rehabilitation program selected by the District in conformance with law.

The District's drug, alcohol and tobacco education and prevention programs are designed to address the legal, social and health consequences of drug, alcohol and tobacco use and to provide pupils with effective techniques for resisting peer pressure to use illicit drugs, alcohol or tobacco. Information about any drug, alcohol and tobacco counseling, rehabilitation, and re-entry programs available to pupils may be obtained by contacting their school. This information may include programs sponsored or maintained by various community groups or agencies. The information is provided only to assist parents and pupils who may desire information regarding the resources available to assist them.

Some classes talk about human reproduction and sexually transmitted diseases. These pages talk about your rights as a parent/guardian in regard to previewing the materials or removing your child from those classes.

CURRICULUM AND PERSONAL BELIEFS

☛ Sex / HIV/Aids Education

Districts shall annually notify parents about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on student health behaviors and risks planned for the school year. Written and audiovisual educational materials used in such education are available for inspection. You will be notified prior to the commencement of any such instruction as to whether the instruction will be taught by district personnel or by outside consultants in class or during an assembly. A copy of the law pertaining to such instruction is available upon request from the district. You may request in writing that your child not receive comprehensive sexual health education and/or HIV/AIDS prevention education.

The law also authorizes the district to use 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 concerning or practices relating to sex. The district must notify you in writing before any such test, questionnaire, or survey is administered and provide you with an opportunity to review the test and request in writing that your child not participate.

☛ Dissection of Animals

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternative avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [E.C. 32255]

☛ Excused from Instruction Due to Religious Belief

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. [E.C. 51240]

Your children may decide or you may decide for them, not to participate in some parts of certain classroom activities for various reasons.

☛ Tests/Surveys on Personal Belief

Unless you and your children over 18 give written permission, your child will not be given any test, questionnaire, survey, examination, or marketing material containing questions about your child's, or his/her parents' or guardians' personal beliefs or practices in politics, mental health, anti-social, illegal, self incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religion. Parents may also opt out of their child supplying information to be used for marketing. Parents have the right to review any survey or educational materials related to the survey or any of the above items. The District has developed policies relating to the surveys and personal information. [E.C. 60650, 51513, 60614; PPRA, 20 U.S.C.; No Child Left Behind Act (NCLB)]

SCHOOL RECORDS AND ACHIEVEMENTS

☛ Pupil Records

You and your children over 18 have the right to review and inspect their school records within five days of a written request. Those records are confidential, and privacy will be maintained, except in some instances such as when your child transfers to another school. The records include transcripts, discipline letters, commendations, attendance, and health information. The records are maintained at the school site by the office staff. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation sets forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental education services. You may have copies made for a reasonable price. You also have the right to file a written request with the superintendent challenging the records. You can challenge how your request was handled with the district or with United States Department of Education if you think there is an inaccuracy, unsubstantiated conclusion or inference, comment not based on personal observation with time and date noted, misleading information, or violation of privacy rights. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [E.C. 49063, 49060,

49070; Family Educational Rights and Privacy Act (FERPA); 34 CFR Part 99]

✿ **Regulations Regarding Pupil Achievement**

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in class work and proficiency levels and indicated educational growth in relation to the student's ability, citizenship and effort. [E.C. 49067]

✿ **Teacher Qualifications**

A provision of Federal Law Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [No Child Left Behind Act (NCLB)]

✿ **Standardized Achievement Tests**

Standardized achievement tests are given to each student in grades 2-8 each spring. Each parent will receive a report of the student's individual scores. Parents may contact the teacher, principal, or counselor for further explanation of the student's performance. [E.C.60722]

✿ **8th Grade Event**

Qualifications: Less than two suspensions (including in-school suspensions) less than 20 days absent (use Independent Study Contracts to avoid absences) less than 6 referrals all year, and pass the Constitution Test. Transfer students must verify their record from last school to qualify. Students participate in fund-raiser or pay up to full costs.

✿ **8th Grade Promotion**

Failure to meet the following will trigger a Promotion Review Committee to determine promotion:

Grades: 2.0 or better average for ALL QUARTERS and 1 or less F's in the 4th quarter.

Tests: Passing score on Constitution exam and Writing exam.

Behavior: Year total of 5 or fewer days of suspension, 4 or fewer referrals, 10 or fewer detentions.

Attendance: 10 or fewer unexcused absences (use Independent Study Contracts to avoid absences).

✿ **High School Exit Exam**

In addition to other graduation requirements, each student is required to pass the California High School Exit Exam (CAHSEE) to receive a high school diploma. Students must pass both the English and Mathematics sections of the CAHSEE in order to graduate. Each pupil shall take the CAHSEE beginning in the 10th grade and may retake the examination as follows – two opportunities in 11th and 12th grades. Student may have one opportunity after 12th grade to pass the examination, but they must have completed all other graduation requirements. [E.C. 48980, 60850]

✿ **Release of Directory Information**

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information may include a student's name, address, telephone information, date and place 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 previous public or private school attended by the student. You may have the district withhold any of this information by submitting a request in writing. In the case of students with exceptional needs, no material can be released without parent or guardian consent. [E.C. 49061(c), 49070, 56515; NCLB]

✿ **School Safety Plan**

Every year, each school shall review and update its plan by March 1. The plan will include an earthquake emergency procedure system and disaster policy for buildings with a capacity of 50 or more people. Each school shall report on the status of its school safety plan, to numerous community leaders and include a description of its key elements in the school accountability report card. [E.C.32281, 32286, 32288]

EXEMPTIONS AND PARENTAL RIGHTS

✿ **Parental Rights: Education Empowerment Act of 1998**

The Education Empowerment Act of 1998 establishes various rights for parents, in addition to other rights identified in this Annual Notice. Your rights, as a parent or guardian, include the following:

- *Inspection of Instructional Materials:* All primary supplemental instructional materials and assessments, including textbooks, teacher's manuals, films, tapes, and software shall be compiled and stored by the classroom instructor and made available promptly for your inspection in a reasonable time frame or in accordance with procedures determined by the governing board of the school district.
- *Observation of School Activities:* You have the right to observe instruction and other school activities that involve your child in accordance with procedures determined by the governing board of the school district to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Reasonable accommodation of parents and guardians shall be considered by the governing board of the San Miguel Joint Union School District. Upon written request by you, school officials shall arrange for your observation of the requested class or classes or activities in a reasonable time frame and in accordance with procedures determined by the governing board of the San Miguel Joint Union School District.
- *Consent for Evaluations:* Your child may not be tested for a behavioral, mental, or emotional evaluation without your informed written consent.
- *Affirmation of Disavowal of Beliefs:* A pupil may not be compelled to affirm or disavow any particular personally or privately held worldview, religious doctrine, or political opinion. This law does not relieve pupils of any obligation to complete regular classroom assignments.
- *Health Component of Any Program or Class:* Parents may exempt students from the health component of any course or class if that instruction conflicts with a parent or guardian's religious training or beliefs.

❁ Other Parental Rights

The rights of parents and guardians of district pupils include the rights identified below: These rights include your right:

- a. To observe in your child's classroom (upon reasonable notice).
- b. To meet with your child's teacher and the school principal (upon reasonable notice).
- c. To volunteer your time and resources at the school.
- d. To be notified on a timely basis if your child is absent from school without permission.
- e. To be notified concerning your child's classroom and standardized test performance.
- f. To request a specific school and teacher and to receive a response from the school district. (This does not obligate the school district to grant the request.)
- g. To have a safe learning environment for your child.
- h. To Examine curriculum materials of your child's class.
- i. To be informed of your child's progress and appropriate school personnel to contact in the event of problems.
- j. To access student records for your child.
- k. To receive information concerning expectations for student learning.
- l. To be informed in advance about school rules, policies, dress codes, and procedures for visiting the school.
- m. To receive information about any psychological testing of your child and to deny permission for such testing.
- n. To participate as a member of any school site councils or parental advisory councils at the school, in accordance with governing membership.
- o. To question, and receive an answer regarding, items in your child's record that appear inaccurate, misleading, or that invade privacy.

DUE PROCESS PROTECTIONS AND COMPLAINTS

The District is responsible for compliance with state and federal laws and regulations and has procedures to address allegations of unlawful discrimination and complaints alleging violation of laws governing educational programs. Employees, students, parents or guardians, advisory committees, and other interested parties are advised how to file a complaint if they so desire.

❁ Complaints Regarding Discrimination, Exceptional Need Students, Categorical Programs, Federally Funded Programs

The District is committed to equal opportunity for all individuals in education. The district programs and activities shall be free from discrimination based on age, ethnicity, race, national origin, sexual orientation, actual or perceived sex, ancestry, religion, color, mental or physical disability, limited English language skills or because a

person is perceived to have one or more of the above characteristics. The District is committed to equal opportunities to all students of both sexes in all of its educational programs and activities.

The District shall promote programs that ensure non-discriminatory practices in all District activities. If you want further details in this regard, or wish to file a complaint, please contact the District's Uniform Complaint Officer. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law.

Dean Smith, Superintendent
1601 L Street, San Miguel, CA 93451
(805) 467-3216 ext 204

The Uniform Complaint Procedure can be used in cases of discrimination in adult education, consolidated categorical aide programs, vocational education, and special education programs that receive state or federal financial assistance as well as Williams Settlement issues and other areas designated by the District. [E.C. 260 et seq., 56501; Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1974, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA)]

❖ **District's Uniform Complaint Process**

You may contact your school's office or the District office to obtain a copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues, school safety planning requirements in the No Child Left Behind Act, and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student may be filed within 12 months of the occurrence. Staff has been trained to deal with these types of complaints. [E.C. 56500.2)

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 60 days from the receipt of the complaint unless the complainant agrees in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision. There are then five days to appeal to the Board of Education
6. If you are not satisfied with the results the complainant then has 15 days to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.
7. You may forward your complaint directly to CDE and they may choose to intervene immediately based on established criteria.
8. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to: injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

Rehabilitation Act Section 504 – Office of Civil Rights

Child Abuse – Department of Social Services, Protective Services Division, or law enforcement

Discrimination/Nutritional Services – Department of Fair Employment and Housing, Equal Employment Opportunity Commission.

General Education – this school district Health and Safety/Child Development – Department of Social Services

Student Records – Family Policy Compliance Office (FPCO), U.S. Department of Education [20 USC 7101-7184 (No Child Left Behind), 20USC 11138; 34 CFR 300.510-511, 300.513; E.C. 221.1, 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64001(a); 5CCR 4600; 5 CCR 4620-4632; Government Code 11138]

❖ **Complaints Regarding Discrimination and the Education of Disabled Students**

San Miguel Joint Union School District is committed to equal opportunity for all individuals in education. Our district programs and activities shall be free from discrimination based on sex, race, color, religion, national origin, lack of English skills, ethnic group, marital or parental status, physical or mental disability or any other unlawful

consideration. The district shall promote programs which ensure that these discriminatory practices are eliminated in all district activities. [E.C. 56501]

You have certain rights under that law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the individuals with Disabilities Education Act (IDEA, formerly known as EHA). The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. [E.C. 260, et seq., and the above cited federal statutes]

If you wish further details in this regard, or wish to file a complaint, please contact the superintendent or other appropriate agency.

❖ **Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities**

Parents should use the District Uniform Complaint Procedure to identify and resolve any deficiencies regarding instructional materials, facility cleanliness and safety, emergency or urgent facility conditions that pose a health or safety threat to students or staff, and teacher vacancies or misassignments. [E.C. 35186]

Williams Settlement complaint procedure

Forms are available at the school, but the form need not be used to make a complaint. The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying.

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complaint is identified and will be sent to the mailing address on complaint.
4. The form will have a box to request a response and indicate where to file the form.
5. Valid complaints should be remedied within 30 days of receipt.
6. Within 45 days of resolution, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same timeframe.
7. If unsatisfied with resolution, a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
8. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in the public session making it part of the public records. [E.C. 35186]

SEXUAL HARASSMENT

Students in grades 4 through 12 may be suspended or expelled for sexual harassment. The district's policy on student sexual harassment is stated below:

❖ **Sexual Harassment**

Note: Education Code 212.6, added by AB 2900 (Ch. 906, Statutes of 1992), mandates the district to have a written policy on sexual harassment. As part of the mandate, the district also should adopt a sexual harassment policy related to employees; see 4119.11 – Sexual Harassment. The U.S. Supreme Court has ruled that students who are victims of sexual discrimination or harassment in schools may be entitled to damage rewards.

The Governing Board prohibits unlawful sexual harassment of or by any student by anyone in or from the district.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any from of sexual harassment.

Note: Education Code 48900.2, added by SB 1930 (Ch. 909, Statutes of 1992), provides that a student may be suspended or recommended for expulsion if the Superintendent or school principal determines that he/she has committed sexual harassment as defined in Education Code 212.5, See 5144.1 – Suspension and Expulsion/Due Process.

Any student who engages in the sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary actions up to and including dismissal.

Note: Pursuant to Education Code 212.6, the Board's policy must contain information on where to obtain specific procedures for reporting charges of sexual harassment and pursuing available remedies. Student discrimination complaints must be handled in accordance with uniform procedures. See 1312.3 – Uniform Complaint Procedures.

The Board expects students or staff to immediately report incidents of sexual harassment to the Superintendent/Principal or designee.

Any student who feels that he/she is being harassed should immediately contact the Superintendent/Principal or designee in order to obtain a copy of AR 1312.3 Uniform Complaint Procedures. Complaints of harassment can be filed in accordance with these procedures.

The district prohibits retaliatory behavior against any complainant or any participant in the complaint process.

Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned. [BP 5145.7]

MISCELLANEOUS

☀ Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. That identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds.

Parents and guardians may register with the district if they wish to receive notification of pesticide applications at a particular school or facility, please request a REQUEST FOR INDIVIDUAL PESTICIDE APPLICATION NOTIFICATION from their school. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812 –4015, www.cdpr.ca.gov. [E.C. 17610.1]

Product

Active Ingredient

Surflan	Oryzalin
Roundup Pro	Glyphosate
P.C.Q.	Diplacinone
Wilco Ground Squirrel Bait	Diplacinone
Giant Destroyer	Sodium Nitrate
Victor Poison Free Wasp & Hornet Killer	Mint Oil
Maxide Ant, Roach & Spider Killer II	Permethrin

☀ Management Plan for Asbestos-Containing Material

The district has available upon request a complete and updated management plan for asbestos-containing material. [Code of Federal Regulations: 40 CFR 763.93]

☀ Further Information Is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office. [E.C. 48209.13, FERPA, 34 CFR Section 99.7(b)]

☀ Notification in Other Languages

“When 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 speak a single primary language other than English, as determined from the census data submitted to the Department of Education pursuant to Section 52164 in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in such primary language, and may be responded to either in English or the primary language.”