

YUBA CITY UNIFIED SCHOOL DISTRICT

STUDENT DISCIPLINE POLICY HANDBOOK

AND

LEGAL NOTIFICATIONS

FOR

2011-2012 SCHOOL YEAR



Educating Today's Students To Succeed In Tomorrow's World



YUBA CITY UNIFIED SCHOOL DISTRICT

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August 2011

Dear Parents, Guardians, Students, and Community,

It is my pleasure to welcome our Pre K to grade 12 students back for another great school year. Thank you for your continued partnership in the important work of advancing the Yuba City Unified School District (YCUSD) Governing Board's mission, "Educating Today's Students to Succeed in Tomorrow's World."

The staff members of all departments and schools proudly maintain an unwavering focus on student learning, achievement, and success. The partnership between parents, staff, and community enables student achievements of every type. Those include academic gains and honors; athletic accomplishments and championships; visual and performing arts performances and awards; students' acquisition of English proficiency; California's 2011 Title 1 Achievement Award for Central Gaither School; thousands of dollars in scholarships to YCUSD graduates; California Business for Excellence in Education Honor Roll for Bridge Street School; student artists featured in exhibits locally and beyond Yuba City; partnerships with Sutter North Medical Foundation, civic agencies, local businesses, and the Yuba City Education Foundation; the California School Boards Association Golden Bell Award for the Sutter County Smiles dental van; updated technology; and, modernized facilities.

California and YCUSD continue to face fiscal challenges and economic adversity. On behalf of the Governing Board and staff, I offer my assurance that YCUSD will diligently seek all that is possible to ease the negative impacts of state budget cuts and move forward to advance student success. YCUSD takes pride in being able to sustain key programs and support systems such as music, athletics, after school programs, summer sessions, school nurses, and counselors. In addition, it is with great enthusiasm that YCUSD returns to the 180 day student calendar in 2011-2012.

The YCUSD Governing Board set these four goals to frame the daily work of all departments and school sites.

- **Student Success:** YCUSD provides a rigorous and comprehensive program to ensure success for all students as they transition to graduation and beyond.
- **Communication and Outreach:** YCUSD provides continuous methods of communication that sustain an ongoing connection with and involvement of the public with a clear focus on improving student achievement.
- **Student Support:** YCUSD provides safe, modernized, and student centered support systems that promote the physical and cognitive development of our students.
- **Staff Success:** YCUSD attracts and develops top quality professionals focused on student success.

This handbook serves as an important communication tool and contains the most current and important information related to policy, procedure, and expectations established for the success of YCUSD students. I encourage you to read it carefully and review it with your child. Then, call your school principal or the District Office at 822-7641 for further information as needed. Should any changes to policy or procedure occur, they will be posted on the YCUSD website at www.ycusd.k12.ca.us.

Working together we can make our schools the pride of our community, contribute to our community's future economic wellbeing, and bring success to every student in the Yuba City Unified School District.

Sincerely,


Nancy Aaberg, Superintendent

2011-2012 SCHOOL YEAR
DISCIPLINE HANDBOOK AND LEGAL NOTIFICATIONS
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**YUBA CITY UNIFIED SCHOOL DISTRICT
NOTICE TO PARENTS AND GUARDIANS**

TO: Parents and Guardians of Students attending public schools within the Yuba City Unified School District

As required by law, the District shall notify students and parents/guardians of certain rights granted to them by provisions of the California Constitution, state and federal education law, and state and federal regulations. The District shall also send out all other notifications required by law. Notifications which must be sent at the beginning of each academic year shall include a request that the parent/guardian sign the notice and return it to the school.

The Superintendent shall develop procedures which will ensure proper compliance by the District.

The Governing Board recognizes that notifications required by law are a part of the communication essential between the school and the home. The Superintendent or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights.

Whenever a teacher learns that a student's parent/guardian is for any reason unable to understand the district's printed notifications, the principal or designee shall when required by law assist the parent/guardian in establishing other appropriate means of communication.

This exhibit relates to notices which must be provided to parent/guardian. Pursuant to Education Code 48982, notifications which must be sent at the beginning of each academic year must include a request that the parent/guardian sign the notice and return it to the school.

The principal of each school shall ensure that students and parents/guardians are notified in writing of all Board policies, administrative regulations and individual school rules related to discipline at the beginning of each school year. Transfer students and their parents/guardians shall be so advised upon enrollment.

The notice shall state that these rules and regulations are available on request at the principal's office in all district schools.

This notice is to inform you of the legal notice requirements as outlined in the Education Code pertaining to students while in attendance in the Yuba City Unified School District. (cf. 5145.6 - Notifications Required by Law)

1. The District may provide or make available medical or health services, or both, through a non-profit corporation or insurance company. Students shall not be compelled to participate in or accept any service. The cost of insurance shall be borne by the parent or guardian.
2. The Yuba City Unified School District provides instruction in Family Life-Sex education. The parent or guardian must respond to a District questionnaire in writing indicating the parent's or guardian's consent for participation in this instruction.
3. Students may be exempt from courses or a part of any course which they are required to attend when designated as sex education or family life education or by some similar term in which human reproductive organs and their function and processes are described, illustrated or discussed.
4. A parent or guardian may file annually with the principal of the school a signed statement verifying the school does not have his/her consent to subject the student to any physical examination (this would include vision and hearing testing).
5. The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity that receives or benefits from state financial assistance. The Assistant Superintendent of Educational Services, as the Title IX Coordinator, has been designated as the contact person for any questions relative to sex discrimination in the schools.
6. The Yuba City Unified School District has a policy prohibiting the use of corporal punishment in the schools. Other alternatives are to be utilized for changing the behavior of students.
7. Legislation passed in June of 1986, requires notification of pupils in Grades 7-12 and the parents or guardians of all pupils enrolled in the District that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.
8. Students who have needs that cannot be met with modification of the regular instructional program may be referred for assessment to determine eligibility for special education or related services. Parents of such children should consult with the principal about special education and the referral process. Before any action is taken with

respect to the initial placement of a child in a special education program, an individual assessment of the child's educational needs will be conducted. Such an assessment will not be conducted until the child's parents give their written consent.

9. All schools, with the exception of Yuba City High School, have a closed campus.
10. Students with a temporary disability who are in a hospital or other health facility, excluding a state hospital, which is outside of the school district in which the parent/guardian resides shall have complied with the residence requirement for school attendance in the school district in which the hospital is located. It is the primary responsibility of the parent/guardian of the pupil with the temporary disability to notify the school district of the pupil's presence in a qualifying hospital.
11. Yuba City Unified School District has hired a hazard management consulting firm to perform the required inspection of all asbestos-containing building materials in the District. The inspection was completed by an accredited inspector and meets the Environmental Protection Agency requirements. Information regarding the inspection is available for review during normal office hours in the office of the Director of Maintenance/Facilities (822-5252). If copies of the plan are desired, a duplicating fee may be charged.
12. School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the District or the school. The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure.
13. The parent/guardian of a student subjected to an individualized search shall be notified by the District as soon after the search as possible.
14. Because lockers are under the joint control of the student and the District, school officials shall have the right and ability to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or other threats to student health, welfare, or safety emit from the locker.
15. The Yuba City Unified School District has a policy permitting students to attend schools outside of their attendance area. Please contact the Director of Student Welfare & Attendance, Yuba City Unified School District at 822-7641 for specific information.
16. Any parent wishing to volunteer as a driver for school-related activities must contact the site administrator for a driver's handbook, related criteria, and procedures to be followed.
17. In accordance with federal law, the Family Educational Rights and Privacy Act, parents, guardians or students 18 years of age or older shall be accorded the right under orderly procedures to inspect, contest and offer written statements in opposition to items included in the student's educational records. The school will not release information or records concerning students to non-educational organizations excepting state and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974. There are, however, for purposes of this policy, items designated as "directory information" and this type of information will be furnished as listed below unless you specifically state in writing that you do not want the information given.
18. The District has the right to videotape students in relation to safety issues.

GENERAL NOTIFICATION REQUIREMENTS FOR CERTAIN EDUCATION CODES (48980 ET. SEQ.)

No Child Left Behind Act of 2001

The purpose of this act is to assist underperforming schools and ensure that all children have the opportunity to receive a high-quality academic education. Schools that receive Title I funds are required to notify parents of children in schools that fail to meet requirements as specified in the Act. According to Federal law, parents have the right to request information regarding the professional qualifications of their child's teacher. Parents have the right to request a school transfer, with transportation, in accordance with the school transfer policy.

§48980.3-Notification of Pesticides

Pursuant to the requirements of Assembly Bill 2260, the Healthy Schools Act of 2000, we are providing this information regarding the Yuba City Unified School District's pest control plan for school year 2011-2012.

The District has established an annual pest control services contract with a qualified, licensed pest control applicator

company. This service will consist of regular inspections for typical household pests at our school campuses. If, during the course of the inspection, indications of activity are discovered, treatments may be applied to control insects. Working with the applicator to develop strategies to reduce the need for treatments, we are committed to keeping such applications to a minimum, using only products appropriate for use on school campuses in all cases. The District supports the use of non-toxic products and uses non-toxic products in most cases.

The District will inspect the exterior of all school buildings on a quarterly basis and inspect the food service areas (kitchens and storerooms) on a monthly basis. These inspections are for ants, silverfish, flies, and other typical household pests. If non-toxic products are not effective and actual pesticide treatment is required, the products that may be used and are approved for use on our sites are listed below (this includes treatment for weed abatement, as applicable):

565 Plus (Pyrethrins – 0.5% Piperonyl Butoxide – 1.0%, N-Octyl Bicycloheptene Dicarboximide 1.0%)
Contrac – Blox (Bromadiolone – 0.0005%)
Drione Insecticide (pyrethrins –1.0%, piperonyl butoxide – 10.0%)
Merit 75 WP Insecticide (imidacloprid 1-N-nitro-2-imidazolidinimine – 75%)
Microcare Crack and Crevice (pyrethrins – 0.3%, N-octyl bicycloheptene dicarboximide – 0.336%)
Optigard Ant Gel Bait (thiamethoxam – 0.010%)
Phantom (chlorfenapyr – 21.44% Propylene glycol- 7.50%)
Suspend Insecticide (deltamethrin – 4.75%)
Tempo WP Insecticide (cyfluthrin – 20%)
Termidor (fipronil – 9.1%)
Giant Destroyer Gopher Control (sodium nitrate – 46.2%, sulfur – 34.8%)
Roundup Pro Weed Control (glyphosate - 41%)
Glyfos X-tra Weed Control (glyphosate – 41%)

In the event of treatment, the site will be posted with a written sign at least 24 hours prior to the application. If you require further information, or if you would like to receive notification of the actual dates of individual applications at a specific location for this school year only (request must be updated each year), you may submit a request in writing, including your name and address, phone number, student's name, school campus, and classroom number, to the following address:

Yuba City Unified School District
ATTN: Maintenance Dept.
1512 Stewart Road
Yuba City CA 95993

If you have any questions or comments regarding pest control at California schools, please feel free to visit the California Department of Pesticide Regulation website at <http://www.schoolipm.info> or contact Mr. Steven Plaxco, Director of Maintenance/Facilities, YCUSD at (530) 822-5252.

§48981 – Time and means of notification of upcoming activity

The notice shall be sent at the time of registration for the first semester or quarter of the regular school term. The notice may be sent by regular mail or by any other method normally used to communicate with the parents or guardians in writing.

§48982 – Signature; return to school; effect of signature

The notice shall be signed by the parent or guardian and returned to the school. Signature of the notice is an acknowledgment by the parent or guardian that he/she has been informed of his/her rights but does not indicate that consent to participate in any program has either been given or withheld.

§48983 – Contents of notice of upcoming activity

If any activity covered by the sections set forth in Section 48980 will be undertaken by the school during the forthcoming school term, the notice shall state that fact and shall also state the approximate date upon which any of such activities will occur.

§48984 – Activities prohibited unless notice is given

No school district shall undertake any activity covered by the sections set forth in Section 48980 with respect to any particular pupil unless the parent or guardian has been informed of such action pursuant to this article or has received separate special notification.

§48985 – Notices to parents in language other than English

When 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 speak a single primary language other than English, 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 in the primary language.

§58501 - 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/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 officer of this district, and the principal's office in each attendance unity have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

Further, a copy shall be posted in at least two places, normally visible to pupils, teachers, and visiting parents in each attendance unity, for the entire month of March in each year.

§ 58502 - Request by Parent or Guardian to Establish Program

The parent or guardian of any pupil may request the governing board of a school district to establish an alternative school program or programs in the district pursuant to this chapter.

HIGH SCHOOL GRADUATION REQUIREMENTS (BP 6146.1 Revised: Revised: June, 2010)

The Governing Board desires to prepare all students to obtain a diploma of high school graduation to enable them to take advantage of opportunities for postsecondary education and/or employment. Students shall receive diplomas of graduation from high school only after completing a prescribed course of study, passing all portions of the California High School Exit Examination, and meeting the standards of proficiency established by the district and the state.

Credit Requirements

The minimum number of credits required for graduation from Yuba City High School and Albert Powell High School is 220 credits.

The minimum number of credits required for graduation from River Valley High School is:

Class of 2015	280 credits
Class of 2014	280 credits
Class of 2013	240 credits
Class of 2012	220 credits

Course Requirements

To obtain a diploma of graduation from high school, students shall complete at least the following courses in grades 9-12, with each course being one year at Yuba City High School and Albert Powell High School and one term at River Valley High School unless otherwise specified:

1. 40 credits standards-based English (Education Code 51225.3)
2. 20 credits standards based in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code 51224.5)

Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall satisfy the algebra coursework requirement but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

3. 30 credits in standards-based sciences, including biological (10) and physical sciences (10). 10 credits may be earned from a district approved science application course. (Education Code 51225.3)
4. 30 credits in social studies, including United States history (10), world history (10), American Government and Economics (10) (Education Code 51225.3)
5. 5 credits in State Requirements
6. 10 credits Visual Arts that can be met by any Art, Music, or Foreign Language course, or by the specific courses of Creative Writing; Speech/Drama; Landscaping; Floral Design; Decorative Arts; Clothing 3; Interior Design; Art Metal Decor; (Woodworking 2,3, or 4); ROP Architectural Drafting; Architectural Drawing; Architectural Design; ROP Photography; ROP Applied Photography. (Education Code 51225.3)
7. 20 credits in physical education, unless the student has been exempted pursuant to Education Code 51241 (Education Code 51225.3)
8. 65 Credits Elective Coursework at Yuba City High School and Albert Powell High School and 125 Credits Elective Coursework at River Valley High School

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

High School Exit Examination

Each student completing grade 12 shall have successfully passed the state exit examination in language arts and mathematics as a condition of high school graduation. (Education Code 60851, 60859)

Supplemental instruction shall be offered to any student in grade 7-12 who does not demonstrate "sufficient progress," as defined in Board policy, toward passing the exit exam. (Education Code 37252, 60851)

Students who have not passed one or both parts of the exit exam by the end of grade 12 shall have the opportunity to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until they have passed both parts of the exam, whichever comes first. (Education Code 37254)

The Superintendent or designee shall regularly report to the Board regarding the number of students who have fulfilled all local and state graduation requirements except for the passage of the exit exam and the resources that have been offered to such students.

Certificates of Completion

Students who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school exit exam shall receive a certificate of completion.

The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a certificate of completion and the resources that have been offered to such students.

Retroactive Diplomas

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. (Education Code 51430)

In addition, the Board may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code 51430)
Foreign exchange students may receive honorary diplomas pursuant to Education Code 51225.5.

HIGH SCHOOL EXIT EXAMINATION (AR 6162.52 Revised: June 9, 2009)

Definitions

Variation means a change in the manner in which a test is presented or administered, or in how a student is allowed to respond, and includes, but is not limited to, accommodations and modifications as defined in Education Code 60850. (5 CCR 1200)

Accommodation means any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores. (Education Code 60850)

Modification means any variation in the assessment environment or process that fundamentally alters what the test measures or affects the comparability of scores. (Education Code 60850)

District and Test Site Coordinators

On or before July 1 of each school year, the Superintendent shall designate a high school exit examination coordinator from among district employees and shall notify the test contractor of the identity and contact information of the coordinator. The district coordinator or Superintendent or designee shall be available throughout the year; shall serve as the liaison between the district and the test contractor and between the district and the California Department of Education (CDE) for all matters related to the exit examination; and shall perform additional duties specified in 5 CCR 1209-1211.5. (5 CCR 1209)

Annually, the district coordinator or Superintendent or designee shall designate a test site coordinator for each test site to fulfill the responsibilities specified in 5 CCR 1210-1211.5. (5 CCR 1210)

All district and test site coordinators shall sign a test security affidavit pursuant to 5 CCR 1211.5.

Access to exam materials shall be limited to students taking the exam and individuals who have signed the test security affidavit, including employees directly responsible for test administration. All district and test site coordinators shall be responsible for inventory control. (5 CCR 1211)

Administration

The Superintendent or designee shall administer the exit exam in each district high school on the dates designated by the Superintendent of Public Instruction as exam days or make-up days. (Education Code 60851)

The high school exit exam shall be administered as follows: (Education Code 60851; 5 CCR 1204, 1204.5)

1. Students shall take each section of the exit exam once per school year while in grade 10 either during the grade 10 census administration or the district-designated grade 10 make-up administration
2. Students in grade 11 who have not yet passed one or both sections of the exam shall have up to two opportunities per year to take the section(s) of the exam not yet passed and may elect to take the exam during these opportunities. These students shall not be tested in successive administrations within a school year. Students should be offered appropriate remediation or supplemental instruction before being retested.
3. Students in grade 12 shall have at least three opportunities to take the section(s) of the exit exam not yet passed. Eligible students in grade 12 may elect to take the exam up to five times during the school year and may take the exam in successive administrations. Students should be offered appropriate remediation or supplemental instruction before being retested.
4. Adult students shall have up to three opportunities per year to take the section(s) of the exam not yet passed and may elect to take the exam during these opportunities. Students should be offered appropriate remediation or supplemental instruction before being retested.

If a student does not possess sufficient English language skills to be assessed on the exit exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing, and comprehension in the English language. (Education Code 60852)

Test administrators at the test sites shall be responsible for the accurate identification of eligible students to whom the exit exam is to be administered. This identification shall be made through the use of photo identification or positive recognition by an employee of the district. (5 CCR 1203)

Any student found to have cheated, assisted others in cheating, or compromised the security of the exam shall not receive a score from that test administration. (5 CCR 1220)

Testing Variations for All Students

The Superintendent or designee may provide any student taking the exam with extra time within a testing day, simplified or clarified test directions, and/or student marks (other than responses) in test booklets. (5 CCR 1215)

A student may also be provided the following testing variations if they are regularly used in the classroom: (5 CCR 1215)

1. Special or adaptive furniture
2. Special lighting, special acoustics, visual magnifying, or audio amplification equipment
3. An individual carrel or study enclosure
4. Testing of individual students in a separate room provided that the student is directly supervised by an employee who has signed the test security affidavit
5. Colored overlay, mask, or other means to maintain visual attention to the exam or test items
6. Manually Coded English or American Sign Language to present directions for test administration

At least 30 working days before the proposed administration of the exam, the Superintendent or designee may submit a request to the CDE for a case-by-case review of a proposed variation that is not specified in law. The request shall include a description of the requested variation(s) and, if applicable, a certification that the student's individualized education program (IEP) or Section 504 plan specifies that the requested variation is appropriate and necessary to access the exam due to the student's identified disability(ies) and that such variation is currently listed in his/her IEP or Section 504 plan. (5 CCR 1218)

Testing Variations for English Language Learners

In addition to testing variations allowed for all students, identified English language learners may be allowed the following testing variations if regularly used in the classroom or for assessments: (5 CCR 1217)

1. Flexible setting: English language learners may have the opportunity to be tested in a separate room with other English language learners provided that the students are directly supervised by an employee who has signed the test security affidavit.
2. Flexible schedule: English learners may have additional supervised breaks within a testing day.
3. Flexible time: English learners may have extra time on the exam within a testing day.
4. Translated directions: English learners may have the opportunity to hear the test directions printed in the test contractor's manual translated into their primary language. English learners may have the opportunity to ask clarifying questions about the test directions in their primary language.
5. Glossaries: English learners may have access to translation glossaries (English to primary language). The glossaries are to include only the English word or phrase with the corresponding primary language word or phrase. The glossaries shall include no definitions or formulas.

Accommodations/Modifications for Students with Disabilities

A student with disabilities shall be permitted to take the exit exam with accommodations or modifications when the student's individualized education program (IEP) or his/her Section 504 plan specifies their use on the exam, for standardized testing, or during classroom instruction and assessments. (Education Code 60850; 5 CCR 1215.5, 1216) The use of accommodations shall not invalidate a student's test score(s). Accommodations may include: (5 CCR 1215.5)

1. Presentation accommodations, including large-print versions in 20-point font, test items enlarged if larger than 20-point font is required, Braille transcriptions provided by the test contractor, audio or oral presentation of the mathematics section of the exam, or use of Manually Coded English or American Sign Language to present test questions on the mathematics section of the exam
2. Response accommodations, including responses marked in the test booklet and transferred to the answer document by an employee who has signed the test security affidavit; responses dictated orally, in Manually Coded English, or in American Sign Language to a scribe for selected-response items (e.g., multiple-choice test questions); responses dictated orally or in Manually Coded English to a scribe, audio recorder, or speech-to-text converter on the writing portion of the exam and the student indicates all spelling and language conventions; word processing software with spell and grammar check tools turned off on the writing portion of the exam; or an assistive device that does not interfere with the independent work of the student on the multiple-choice or writing portion of the exam
3. Scheduling/timing accommodations, including testing over more than one day after consultation with the test contractor, supervised breaks within a section of the exam, and administration of the exam at the most beneficial time of day to the student after consultation with the test contractor
4. Setting accommodations, including tests administered by a test examiner to a student at home or in the hospital

For purposes of receiving a high school diploma, the use of modifications shall invalidate a student's test score for the section of the exam for which the modification(s) were used. If the score is equivalent to a passing score, the student may be eligible for a waiver, as detailed below. Modifications may include: (5 CCR 1216)

1. Arithmetic table, calculators, or math manipulatives on the mathematics section of the exam
2. Audio or oral presentation of the English language arts section of the exam
3. Manually Coded English or American Sign Language to present test questions on the English language arts section of the exam

4. Spell checkers, grammar checkers, or word processing software programs that check or correct spelling and/or grammar on the writing portion of the exam
5. Mechanical or electronic devices or other assistive devices that are not used solely to record the student's responses including, but not limited to, transcribers, scribes, voice recognition or voice-to-text software, and that identify a potential error in the student's response or that correct spelling, grammar, or conventions on the writing portion of the exam
6. Responses dictated orally, in Manually Coded English, or in American Sign Language to provide an essay response to a scribe and the scribe provides spelling, grammar, and language conventions
7. Dictionary on any section of the exam

Beginning in the 2009–10 school year, EC Section 60852.3 provides an exemption from meeting the CAHSEE requirement as a condition of receiving a diploma of graduation for eligible students with disabilities who have an individualized education program (IEP) or a Section 504 plan. The IEP or 504 plans must state that the student is scheduled to receive a high school diploma, and has satisfied or will satisfy all state and local requirements for high school graduation, on or after July 1, 2009

Records

The Superintendent or designee shall maintain a summary data file of all students who participate in each test administration. This summary data file shall include the following information for the English language arts section and the mathematics section for each test administration: (5 CCR 1205)

1. The date on which each section of the exam was taken
2. The full name of each student who took each section of the exam
3. The grade level of each student at the time each section of the exam was taken
4. Whether each student has satisfied the requirement to successfully pass each section of the exam

In addition, the Superintendent or designee shall provide the test contractor with the student demographic information specified in 5 CCR 1207.

Within 60 days of receiving electronic data files from the test contractor, the Superintendent or designee shall enter the following information in each student's permanent record: (5 CCR 1206)

1. The date on which the student took each section of the exam
2. Whether the student has satisfied the requirement to successfully pass each section of the exam

Notifications

At the beginning of each school year, the Superintendent or designee shall provide written notification of the exit exam requirement to all students in grades 9-12 and to their parents/guardians. Such notification shall also be provided to any student who transfers into the district after the beginning of the school year at the time of the student's transfer. The notification shall include, at a minimum, the date of the exam, the requirements for passing the exam, and the consequences of not passing the exam, and shall inform the parent/guardian that passing the exam is a condition of graduation. The Superintendent or designee shall maintain documentation that the parent/guardian of each student has been sent this written notification. (Education Code 48980, 60850; 5 CCR 1208)

Prior to each administration of the exam, the Superintendent or designee shall notify students of the provisions of 5 CCR 1220 related to the consequences of cheating. (5 CCR 1220)

EXIT EXAM INFORMATION FOR 2011-2012 SCHOOL YEAR - CAHSEE TESTING DATES

Students must receive a passing score of 350 or higher on each portion of CAHSEE

ELA	Math	Grade Level Tested
November 1, 2011	November 2, 2011	Grade 11 & 12 students in 2011-2012 who have not yet passed one or both parts of CAHSEE
February 7, 2012	February 8, 2012	Grade 11 & 12 students in 2011-2012 who have not yet passed one or both parts of CAHSEE
March 13, 2012	March 14, 2012	Grade 10 students
May 8, 2012	May 9, 2012	Grade 10 makeups, Grade 11 students who have not taken two administrations in 2011-2012 & Grade 12 students who have not yet passed one or both parts of CAHSEE

Students, including English Learners, who have not passed one or both parts of the CAHSEE by the end of their 12th grade year can participate in intensive instruction services. These services include CAHSEE preparation and English Language Development instruction for up to two consecutive academic years or until the student passes the CAHSEE, whichever occurs first. Eligible students will receive notification of services in writing at their last known address before the end of each school term. For additional Board Policy, please see the Williams Uniform Compliant procedures in this handbook.

SUPPLEMENTAL INSTRUCTION (AR 6179 Revised: March 10, 2009)

Supplemental instructional programs shall be offered outside the regular school day. Such programs may be offered during the summer, before school, and/or after school. (Education Code 37252, 37252.2, 37252.8, 37253)

Supplemental Instruction Based on Retention or Academic Deficiencies

Students in grades 2-9 who have been retained or recommended for retention shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252.2)

1. For the purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grade 6 or 9 during the prior school year shall be eligible for summer school instruction.

To the extent that the district provides supplemental instruction to students in grades 2-6 who are identified as being at risk of retention or as having deficiencies in mathematics, reading, or written expression, those students also shall be subject to the provisions set forth in items #1 and #2 above. (Education Code 37252.8)

The Superintendent or designee shall seek the active involvement of parents/guardians and classroom teachers in the development and implementation of supplemental instructional programs. (Education Code 37252.2, 37252.8)

An intensive remedial program in reading or written expression shall, as needed, include instruction in phonemic awareness, systematic explicit phonics and decoding, word attack skills, spelling and vocabulary, explicit instruction of reading comprehension, writing, and study skills. (Education Code 37252.2, 37252.8)

Supplemental Instruction Based on Progress Toward Passing Exit Examination

Students in grades 7-12 who do not demonstrate "sufficient progress," as defined in Board policy, toward passing the state exit exam required for high school graduation shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252)

1. For purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grade 12 during the prior school year may be eligible for supplemental instructional programs.

The curriculum of the supplemental instruction program shall reflect state academic content standards to the extent that the district curriculum is aligned with those state standards, and shall be designed to assist students to succeed on the exit exam. (Education Code 60851)

Supplemental Instruction Based on Failure to Pass Exit Exam by End of Grade 12

Intensive instruction and services designed to help students pass the high school exit exam after they have failed to pass one or both parts of the exam by the end of grade 12 shall be provided as follows: (Education Code 37254)

1. Each eligible student shall receive an appropriate diagnostic assessment to identify his/her areas of need.
2. Each student shall receive intensive instruction and services based on the results of the diagnostic assessment and his/her prior results on the exit exam.
3. The intensive instruction and services shall be based on strategies that are most likely to result in the student passing the part(s) of the exit exam that he/she has not yet passed and may include, but not be limited to:
 - a. Individual or small group instruction
 - b. The hiring of additional teachers
 - c. Purchasing, scoring, and reviewing diagnostic assessments
 - d. Counseling
 - e. Designing instruction to meet specific needs of eligible students
 - f. Appropriate teacher training to meet the needs of eligible students
 - g. Instruction in English language arts and/or mathematics that eligible students need in order to pass those parts of the exit exam not yet passed, including employing different intensive instruction and services aligned to the needs and circumstances of students who have not passed one or both parts of the exit exam by the end of grade 12 compared to other district students in grade 12 with similar needs
 - h. Instruction and services by a public or nonpublic entity as determined by the Superintendent or designee
4. English language learners shall have the opportunity to receive intensive instruction and services as described in item #2 above that also shall include services to improve English proficiency as needed to pass one or both parts of the exit exam not passed by the end of grade 12.

The intensive instruction and services may be provided during the regular school day provided that they do not supplant the student's instruction in the core curriculum areas defined in Education Code 60603 or physical education. Eligible students may receive intensive instruction and services on Saturdays, evenings, or at a time and location deemed appropriate by the Superintendent or designee in order to meet the needs of these students. (Education Code 37254)

The Superintendent or designee shall notify, in writing, all students who have not passed one or both parts of the exit exam by the end of grade 12, or the parents/guardians of such students if under age 18, of the availability of intensive

instruction and services each term for the next two consecutive school years. Eligible students also shall be notified of their right to file a complaint regarding the intensive instruction and services in accordance with Education Code 35186 (Williams Uniform Complaint Procedures).

The notice shall include the name and phone number of a contact person designated by the Superintendent or designee who can assist students who have questions, concerns, or complaints regarding the availability of the additional instruction.

The notification shall be sent to the last known address before the end of each school term in sufficient time for eligible students to register for or avail themselves of those services. The notice shall also be posted in the school office, district office, and on the district's Internet web site, if any. (Education Code 37254)

GRADUATION CEREMONIES AND ACTIVITIES (AR 5127 Revised: July 12, 2011)

Elementary Level

Prior to participating in the promotion ceremony and attendant activities and prior to receiving a Yuba City Unified Eighth Grade Diploma, 8th grade students must meet the following criteria:

1. A student must pay all outstanding charges and return all school property.
2. A student on suspension at the time of the promotion ceremony shall not participate.
3. A student on contract in lieu of expulsion, with a condition of no extracurricular activities for 30 days, shall not participate if the activities and/or ceremony fall within the 30-day period.
4. A student must have cleared all tardies, cuts, and any outstanding Saturday school assignments through appropriate school site processes.
5. An indistrict student must have been enrolled and in attendance at a school site no later than the beginning of the last nine weeks of school attendance.
6. Students attending promotion ceremonies must attend rehearsals and must behave appropriately during the rehearsals and at the promotion ceremonies.

All students must meet the requirements below:

1. A cumulative semester grade point average of 1.75 is maintained during the eighth grade year.
2. A school attendance record of 85 percent of the days/periods in which a student is enrolled for the current school year. Only unexcused absences will be counted. Absences due to school-sponsored trips and/or activities are not counted as absences toward the 85 percent attendance requirement
3. Special Education students must meet requirements as set forth by the Individual Education Program (IEP).

A district appeals process is provided to cover extenuating circumstances pertaining to student attendance/grade point average requirements. All appeals for failure to receive a certificate or to participate in the promotion ceremony shall be submitted in writing no later than eight attendance days prior to the promotion ceremony; appeals should be sent to the attention of the Assistant Superintendent of Educational Services. A copy should be sent to the school site principal. The Assistant Superintendent's decision is final.

Secondary Level

Students who have passed the California High School Proficiency Examination or the General Education Development Test must also meet district graduation requirements in order to participate in graduation ceremonies.

Foreign exchange students may receive honorary diplomas during the graduation ceremony. (EC 51225.5)

Yuba City High School/River Valley High School

To participate in graduation ceremonies, a high school student must meet the following criteria:

1. Intradistrict transfer students must have been enrolled at Yuba City High School no later than the beginning of the last semester of school attendance. Intradistrict transfer students must have been enrolled at River Valley High School no later than the beginning of the last 18 weeks of school attendance.
2. Interdistrict transfers must have been enrolled and in attendance at Yuba City High School or River Valley High School no later than the beginning of the last nine weeks of school attendance.
3. Graduation credit requirements will be prorated, if necessary, for interdistrict students whose credit requirements differ from the graduation credit requirements at Yuba City High School or River Valley High School.
4. A student must have met all established course, credit, and proficiency requirements prior to graduation ceremonies. (See AR 6146.1 for high school graduation requirements/standards of proficiency)
5. A Yuba City High School student must pass at least 25 credits the semester of graduation and River Valley High School student must pass 15 credits in the quarter of graduation.
6. A student must not be under suspension at the time of graduation rehearsals and ceremonies.
7. Student on contract in lieu of expulsion, with a condition of no extracurricular activities for 30 days, shall not participate if the activities and/or ceremony fall within the 30-day period.
8. A student must attend graduation rehearsals and must behave in an appropriate manner during these rehearsals and immediately prior to graduation ceremonies.

Senior Appeals Process:

Seniors, who earn less than 25 credits at Yuba City High School and seniors who have earned less than 15 credits at River Valley High School during the semester preceding graduation, can file an appeal. The appeal is heard by a committee consisting of:

1. Administrator
2. Counselor
3. Senior teachers

The committee's decision will be communicated to the student and the student's parent by an administrator. The student may appeal the committee's decision to the Assistant Superintendent of Educational Services. The Assistant Superintendent's decision is final.

A diploma shall be granted, provided the student has completed all requirements for a diploma of graduation from Yuba City High School or River Valley High School. The diplomas shall be granted at the following times:

1. At the end of the junior year.
2. At the end of the seventh semester.
3. At the end of the senior year.

If the student is granted a Yuba City High School or River Valley High School diploma, the student may participate in the graduation ceremonies for the school year in which the requirements were met provided he/she meets specific requirements of attendance at graduation practices, acceptable behavior, etc.

A student in any semester subsequent to the one in which he/she meets all requirements for his/her school graduation may elect not to participate in the graduation ceremonies. In this eventuality, he/she will be awarded a diploma at the end of the semester during which he/she makes this determination.

The Superintendent may make recommendations to the Governing Board to waive any of the above requirements prior to graduation.

Albert Powell Continuation High School

To participate in graduation ceremonies, a student must meet the following criteria:

1. Interdistrict transfers must have been enrolled at Albert Powell High School during the last semester of school attendance.
2. Graduation credit requirements will be prorated, if necessary, for interdistrict students whose credit requirements differ from the graduation credit requirements at Albert Powell High School. (See AR 6146.1 for high school graduation requirements/ standards of proficiency.)
3. A student must have met all established requirements prior to graduation ceremonies.
4. A student must not be under suspension at time of graduation rehearsals and ceremonies.
5. A student on contract in lieu of expulsion, with a condition of no extracurricular activities for 30 days, shall not participate if the activities and/or ceremony fall within the 30-day period.
6. A student must attend graduation rehearsals and must behave in appropriate manner during these rehearsals and immediately prior to graduation ceremonies.
7. Exceptions may be made upon approval of the Senior Appeal Committee.

The Superintendent may make recommendations to the Governing Board to waive any of the above requirements prior to graduation.

COLLEGE ADMISSION REQUIREMENTS AND HIGHER EDUCATION INFORMATION

Education Code 51229 requires that each school year, as part of the annual notification, a school district offering any of grades 9 to 12 provide the parent or guardian of each student enrolled in any of those grades a one-page written notice that includes all of the following :

1. A brief explanation of the college admission requirements.
2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU.
3. A brief description of what career technical education is, as defined by the CDE.
4. The internet address for the portion of the web site of the CDE where students can learn more about career technical education.
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses.

Notification:

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school.

In order to attend a community college you need only be a high school graduate or 18 years of age. In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if your GPA is 3.0 or above. In order to attend a UC you must meet requirements for coursework, GPA, and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. You may also transfer to a CSU or UC after attending a community college. For more information on college admission requirements, please refer to the following webpages:

www.ccco.edu-This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

www.assist.org - This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

www.csumentor.edu - This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

www.universityofcalifornia.edu - This massive website offers information regarding admissions, online application, and links to all UC campuses.

Students may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Students can learn more about career technical education by referring to the following webpage: www.cde.ca.gov/ds/si/rp.

DISCIPLINE/RESPONSIBILITIES

YUBA CITY UNIFIED SCHOOL DISTRICT PHILOSOPHY OF DISCIPLINE

The Yuba City Unified School District recognizes that self-discipline is both a learned behavior and a prerequisite for learning. The District strives to maintain a challenging, positive educational environment which is conducive to students achieving success and developing self-discipline. The District's commitment to learning and the development of responsible citizens in a democracy requires the maintenance of a positive, stimulating, and safe school environment where mutual respect is the underlying principle and rules are publicized, explained, and enforced. Standards of student conduct derive from the goals of respect for self, for property, and for others. The enforcement of school and District rules and State laws will promote the development of student maturity and self-discipline essential for academic achievement, personal integrity, and responsible citizenship. These rules and regulations will be enforced fairly, uniformly and consistently without regard to age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

DISCIPLINE (BP 5144 Reviewed: January 27, 2009)

The Governing Board desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules to meet the school's individual needs.

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy and administrative regulation. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.

Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

SITE-LEVEL RULES (AR 5144 Approved: January 27, 2009)

Rules for student discipline shall be developed at each school site and filed with the district office. These rules shall be adopted jointly by the principal and a representative selected by classroom teachers employed at the school. The views of

administrators, teachers, security personnel, parents/guardians and secondary school students shall be obtained when the rules are developed. The rules shall be consistent with law, Governing Board policy and district regulations and they shall be revised as necessary. (Education Code 35291.5)

All avenues of discipline provided in policy, regulation and law may be used in developing site-level rules. These include but are not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, and the use of alternative educational environments, suspension and expulsion.

In developing site-level disciplinary rules, the school shall solicit the participation, views and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any
5. For junior high and high schools, students enrolled in the school

The final version of the rules shall be adopted by a panel comprised of the principal or designee and a representative selected by classroom teachers employed at the school. Each school shall file a copy of its rules with the Superintendent or designee.

The rules shall be consistent with law, Governing Board policy and district regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)

Each school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary strategies provided in Board policy, regulation and law may be used in developing site-level rules. These strategies include but are not limited to:

1. Referral of the student for advice and counseling
2. Discussion or conference with parents/guardians
3. Recess restriction
4. Detention during and after school hours
5. Community service
6. Reassignment to an alternative educational environment
7. Removal from the class in accordance with Board policy, administrative regulation and law
8. Suspension and expulsion

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property or to obtain possession of weapons or other dangerous objects within the control of the student. (Education Code 49001)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal or principal's designee may, at his/her discretion, require a student to perform community service on school grounds, or with written permission of the student's parent/guardian off school grounds, during nonschool hours. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension pursuant to this section. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 48980)

The Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in the district.

REQUIRED PARENTAL ATTENDANCE (Partial BP 5144.1 Revised: January 27, 2009)

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

Whenever a student is suspended from class by a teacher because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in the class from which the student was suspended. (Education Code 48900.1)

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

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

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The principal or designee shall contact a parent/guardian who does not respond to the request to attend school. The Board recognizes that parent/guardian compliance with this policy may be delayed, modified, or prevented for reasons

such as serious illness/injury/disability, absence from town, or inability to get release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

RECESS RESTRICTION (AR 5144 Approved: January 27, 2009)

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

CONDUCT (BP 5131 Adopted: June 23, 2009)

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others
2. Conduct that disrupts the orderly classroom or school environment
3. Harassment of students or staff, such as bullying, including cyberbullying, intimidation, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering, in accordance with the section entitled "Bullying/Cyberbullying" below

"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships

4. Damage to or theft of property belonging to students, staff, or the district
5. Possession or use of laser pointers on school premises, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Use of profane, vulgar, or abusive language
7. Plagiarism or dishonesty in school work or on tests
8. Inappropriate attire
9. Tardiness or unexcused absence from school
10. Failure to remain on school premises in accordance with school rules
11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules.

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, and transfer to alternative programs in accordance with Board policy and administrative regulation, and contact with local law enforcement as appropriate.

Students also may be subject to discipline for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts the educational program of the district or any other district in accordance with law, Board policy, or administrative regulation.

Possession of Cellular Phones and Other Mobile Communications Devices

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which are limited to health-related purposes. (Education Code 48901.5)

Students may possess or use on school campus personal electronic signaling devices including, but not limited to, pagers and cellular/digital telephones, as well as other mobile communications devices including, but not limited to, digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers, provided that such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests.

If a disruption occurs or a student uses any mobile communications device for improper activities, a school employee shall direct the student to turn off the device and/or shall confiscate it. If a school employee finds it necessary to confiscate a device, he/she shall return it at the end of the class period or school day.

In accordance with the Board's policy and administrative regulation on search and seizure, a school official may search a student's mobile communications device, including, but not limited to, reviewing messages or viewing pictures.

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to or from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

Bullying/Cyberbullying

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct. "Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

The district may provide students instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying. This instruction may involve parents/guardians, staff, and community members.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students also may be provided with similar information.

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes whereby students may submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance. Students shall be encouraged to save and print any messages sent to them that they feel constitutes cyberbullying and to notify a teacher, principal, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Enforcement of Standards

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline, including but not limited to suspension, expulsion or transfer to alternative programs in accordance with Board policy and administrative regulation. In addition, when the conduct involves intimidation, harassment, or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance.

CLASSROOM BEHAVIOR

Classroom behavior is highly correlated to the organizational and management practices used by teachers. Those who are effective are able to direct students toward involvement in learning and away from disruptive behavior. This requires thoughtful effort to anticipate problems before they occur. It also requires use of appropriate techniques from the following classroom management areas: 1) Room Arrangement, Rules and Routines; 2) Supplemental Activities; 3) Giving Directions; 4) Monitoring of Seat Work; 5) Reinforcement Practices and 6) Applying Principles of the Elements of Instruction

All District teachers will be provided an opportunity for inservice training in effective classroom management and discipline.

The classroom teacher has primary responsibility for dealing with inappropriate student behavior. Prior to referral to a site administrator, the teacher should confer with the student, contact a parent, and utilize any other appropriate strategy designed to correct the behavior. In cases where student behavior is acutely disruptive or dangerous, the teacher should make immediate referral to a site administrator.

AUTHORITY TO SUSPEND

1. Teacher's Right to Suspend Student From Class (Education Code 48910 - July 28, 1983)

- (a) A teacher may suspend any pupil from the teacher's class, for any of the acts enumerated in Section 48900, for the day of the suspension and the day following. The teacher shall immediately report the suspension to the principal of the school and send the pupil to the principal or the principal's designee for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision, as defined in policies and related regulations adopted by the governing board of the school district. As soon as possible, the teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension. Whenever practical, a school counselor or a school psychologist shall attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests. The pupil shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal.
- (b) A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.
- (c) A teacher may also refer a pupil, for any of the acts enumerated in Section 48900, to the principal or the principal's designee for consideration of a suspension from the school.

2. Principal or Designee

The principal or his/her designee may suspend a student from class, classes, or the school campus for a period not to exceed five school days. (Education Code 48911a - amended 2002)

3. Superintendent or Designee - Extend a Suspension

The Superintendent or his/her designee may suspend a student or may extend a student's suspension pending final Board decision on a recommendation for expulsion, or may suspend a student for the balance of the semester from an alternative school program. An extension of suspension will only be granted if the Superintendent or his/her designee has determined, following a meeting in which the pupil and the pupil's parent/guardian/caregiver are invited to participate, that the presence of the pupil at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the educational process. (Education Code 48911)

4. The Board of Education

The Board may suspend a continuation school student for the balance of the semester. (Education Code 48912.5)

Parent/Guardian/Caregiver's Right to Request a Meeting Regarding a Student's Suspension

If a suspension is ordered by a principal pursuant to Education Code 48900, the parent/guardian/caregiver shall have the rights to request a meeting with the Superintendent's designee, Director of Student Welfare & Attendance, to discuss:

- 1) The cause of the suspension; 2) The duration of the suspension; 3) The school/district policy involved, and 4) Other matters pertinent to the suspension.

OUT-OF-CLASS BEHAVIOR

Students exhibiting inappropriate behavior outside of the classroom should be referred by the teacher in the area to the site administrator in charge of discipline.

STUDENT RIGHTS

Students have rights as do all citizens, under the Constitution, State law and District policy. Their rights include:

1. The right to be heard. Students are encouraged to voice constructive criticism through student government, student advisory committees, school newspapers, teachers, counselors, administrators, and any other channels of communication as long as that process does not substantially disrupt the orderly operation of the school.
2. The right to an education in a safe, orderly, and clean environment.
3. The right to full use of class time for receiving instruction and for learning.
4. The right to fair, consistent, and respectful treatment by staff members and other students.
5. The right to a hearing before a penalty is imposed. When a student has been referred for some wrong-doing, that student should be afforded the opportunity to offer his/her version of the incident to school authorities.

EXPECTATIONS FOR CLASSROOM BEHAVIOR

From the beginning to the end of the class, teachers must be free to teach and students must be free to learn. Students are expected to show respect for the teacher and for other students in the classroom. Any behavior that disrupts instruction is inappropriate. Specifically, students are required to come to class on time prepared to work and to stay on task for the class period. Additionally, students must comply with the classroom rules as described by each teacher. When a student displays disruptive behavior in the classroom, the teacher will first work with the student to alter that behavior, notify parents, and attempt at least one other appropriate strategy. If that effort fails, the student who continues to disrupt the learning process will be referred to other school authorities--administrators or counselors. The school will notify parents, who will be expected to aid in correcting the behavior.

STANDARD DISCIPLINARY PROCEDURES

In order to help students understand what is expected of them and what consequences follow from violation of the rules, the District has developed a code of behavior. Students are required to respond positively to staff requests to follow the District's code of behavior.

The behavior code has been established to guarantee the right of all students to an education in a positive environment. Schools have found that a positive school climate derives, in part, from an understanding among the total school community that statements and actions which degrade others will not be tolerated (Education Code Section 32051).

A standard procedure for dealing with violations of the District's code of behavior has been developed to insure fairness to students. For each offense there is a range of consequences. These may range from time out of class or a conference with a site administrator or designee for minor misbehavior to suspension for major offenses. For very serious offenses, the schools make an immediate recommendation for expulsion.

EXAMINATION OF MISBEHAVIOR

When a student is involved in some form of misbehavior, the school staff will be responsible for a careful review of the incident. The student's record is extremely important for school authorities to consider in dispensing discipline as a consequence of an incident of misbehavior. There are some offenses that are so severe, however, that a penalty is assigned, the student's past record notwithstanding. Generally speaking, when a student repeats a given misbehavior, the penalty increases. Also, if a student has problems that result in many days' suspension, he/she may be transferred to an alternative program.

GANGS (BP 5136 Adopted: January 27, 2009)

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups or gangs which exhibit drug use, violence or disruptive behavior. The Superintendent or designee shall take steps to deter gang

intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.

The Board realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. Age-appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten.

To further discourage the influence of gangs, the Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.

DRESS AND GROOMING (BP 5132 Reviewed: January 27, 2009)

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

HOMEWORK/MAKEUP WORK (BP 6154 Revised: March 10, 2009)

The Governing Board recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives.

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and

meaningful homework assignments that reinforce classroom learning objectives. Teachers' expectations related to homework may be addressed in their evaluations.

Although it is the student's responsibility to do most homework assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

Makeup Work

Students who miss school work because of an excused absence or suspension shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time

Students who miss school work because of unexcused absences may be given the opportunity to make up missed work for full or reduced credit. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

SCHOOL ATTENDANCE

SCHOOL ATTENDANCE (Education Code 48205)

Student Attendance Excused Absences Pursuant Education Code Section 48205

(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, optometrical, 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, or 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.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) "Immediate family" as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." (Immediate family: parents, siblings, spouse, grandparents, children, in-laws, nieces/nephews, or any other relatives residing in the home.)

ABSENCES AND EXCUSES (BP 5113 Reviewed: January 27, 2009)

The Governing Board believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 46010, 48205, 48216)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

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

Students in grades K-6 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. (Education Code 46014)

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

VERIFICATION OF ABSENCE OF STUDENTS OVER 18 (Education Code 46012)

For purposes of any procedure for verification of absences from school, a student 18 years of age or over, with respect to his own absences from school, shall have all of the responsibilities and powers which, in the case of a minor, would be charged to the parent, guardian, or other person having charge or control of the minor.

(Enacted by Stats. 1976, Ch. 1010.)

TRUANCY (AR 5113.1 Revised January 27, 2009)

An attendance supervisor or designee, peace officer, or school administrator or designee may arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person so arresting or assuming temporary custody shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264)

Upon receiving a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341, the Governing Board or district attendance supervisor shall make a full and impartial investigation of all charges. If it appears upon investigation that the parent/guardian has violated these laws, the Superintendent or designee shall refer such parent/guardian to the school attendance review board. (Education Code 48290, 48291, 48292)

Strategies for Addressing Truancy

The following steps shall be implemented based on the number of truantries committed by the student:

1. Students shall be classified as truant if absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Such students shall be reported to the Superintendent or designee. (Education Code 48260)

The parent/guardian of a student classified as a truant shall be notified of the following: (Education Code 48260.5)

- a. The student is truant.
- b. The parent/guardian is obligated to compel the student to attend school.
- c. The parent/guardian who fails to meet this obligation may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.
- d. Alternative educational programs are available in the district.
- e. The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
- f. The student may be subject to arrest by a probation officer, a peace officer, a school administrator, an attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.
- g. The student may be subject to suspension, restriction or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
- h. It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

Upon his/her first truancy, a student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

Upon a student's first truancy, the student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)

2. Any student who has once been reported as a truant shall again be reported to the Superintendent or designee as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code 48261)

Upon his/her second truancy within the same school year, a student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)

In addition, an appropriate district staff member shall make every effort to hold at least one conference with the student and parent/guardian and may discuss resources available for achieving regular school attendance.

3. Upon his/her third truancy within the same school year, a student shall be classified as a habitual truant. (Education Code 48262, 48264.5)

Students who are habitual truants, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code 48263, 48264.5)

Upon making a referral to a school attendance review board or the probation department, the Superintendent or designee shall provide the student and parent/guardian, in writing, the name and address of the school attendance review board or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the school attendance review board or probation officer to consider a proper disposition of the referral. (Education Code 48263)

If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)

4. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)

If a student has been judged by the county juvenile court to be a habitual truant, the Superintendent or designee shall inform the juvenile court and the student's probation or parole officer whenever that student is truant one or more days or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be so notified within 10 days of the violation. (Education Code 48267)

Reports

The Superintendent or designee shall gather and transmit to the County Superintendent of Schools the number of referrals and types of referrals made to the school attendance review board and the number of requests for petitions made to the juvenile court. (Education Code 48273)

The SARB Board is under the control of the Sutter County Superintendent of Schools located at 970 Klamath Lane, Yuba City, CA. Contact the chairperson, Grace Espindola, at 530-822-2969 for further information

DISTRICT RESIDENCY (AR 5111. Reviewed: January 27, 2009)

Criteria for Residency

A student shall be deemed to have complied with district residency requirements if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student has been admitted through the district's interdistrict attendance program. (Education Code 48204)
4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48207)

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

Proof of Residency

Prior to admission in district schools, students shall provide proof of residency.

The Superintendent or designee shall annually verify the student's residency and retain a copy of the document or written statement offered as verification in the student's mandatory permanent record. (5 CCR 432)

Upon enrollment of a student residing in the home of a caregiving adult within district boundaries, the caregiving adult shall execute, under penalty of perjury, the affidavit specified in Family Code 6552.

Reasonable evidence of residency may be established by documentation including, but not limited to, any of the following:

1. Property tax payment receipts
2. Rent payment receipts
3. Utility service payment receipts
4. Declaration of residency executed by the student's parent/guardian

If any district employee reasonably believes that the parent/guardian of a student has provided false or unreliable evidence of residency, the Superintendent or designee shall make reasonable efforts to determine that the student meets residency requirements.

Safe at Home Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries. The Superintendent or designee shall not include the actual address in the student's file or any other public record and shall instead use the substitute address for all future communications and correspondence. (Government Code 6206, 6207)

Denial or Revocation of Enrollment

If the Superintendent or designee, upon investigation, determines that a student's enrollment or attempted enrollment is based on false evidence of residency, he/she shall revoke the student's enrollment. Before any such revocation, the parent/guardian shall be sent written notice of the facts leading to the decision. This notice shall state the parent/guardian's right, within 10 school days, to schedule a meeting with a hearing officer to inspect supporting documents, rebut district evidence, question any district witnesses, and present oral and/or documentary evidence, including witnesses, on the student's behalf. For good cause, the hearing officer may extend the meeting date for an additional 10 days to permit the parent/guardian to obtain required documentation.

If the parent/guardian fails to schedule the above meeting, the student's enrollment shall be revoked 11 school days after the date of the notice.

If the above meeting is held, the hearing officer shall prepare a written decision describing his/her findings. If the hearing officer's decision is upheld, the parent/guardian shall be informed of his/her right to appeal to the Governing Board within 10 days.

A parent/guardian who appeals to the Board shall have the right to have a representative present and to rebut district evidence, question any district witnesses, and present oral and/or documentary evidence, including witnesses, on the student's behalf. Except in cases where good cause is shown, the Board shall not reopen the record to consider evidence or argument which was not presented to the hearing officer. The student may continue to attend school during the period of the appeal.

The Board's decision shall be final.

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 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 (Ed Code 48200). However, a child

may be denied admittance to a particular school in the District if, in the determination of District staff, the child resides with the caregiver, rather than a parent or guardian, solely for purpose of attending the school in question.

SCHOOL ATTENDANCE BOUNDARIES (BP 5116 Revised: January 27, 2009)

The Governing Board shall establish school attendance boundaries in order to maximize the efficient use of district facilities and effective administration of district schools. The Superintendent or designee shall periodically review school attendance boundaries and, as necessary, make recommendations to the Board for boundary adjustments.

When reviewing school attendance boundaries, the Superintendent or designee shall consider the following factors:

1. School enrollment data, including declining enrollment patterns
2. Facility capacity and design, including potential commercial and residential developments
3. School feeder patterns, including maintaining, to the extent practicable, continuity of student attendance
4. Federal, state, or court mandates
5. Community input
6. Student safety
7. Transportation capacity
8. Community and neighborhood identity
9. Geographic features of the district, including traffic patterns
10. Educational programs, such as magnet schools and charter schools
11. Consistency between municipal boundaries and high school boundaries
12. Other factors

Students residing in a community facilities district shall have priority, to the extent provided by law, for attendance at schools financed in whole or in part by the community facilities district. The degree of priority must reflect the proportion of each school's financing provided through the community facilities district. (Government Code 53312.7)

In order to alleviate overcrowding, the Superintendent or designee may place some students in a school outside of their attendance area. Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible. If available, transportation shall be provided for such students.

School Attendance Alternatives

California law (EC § 48980 h) requires all school boards to inform each student's parent/guardian at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students that attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent/guard live (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer). The general requirements and limitations of each process are described below. Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment.

DISTRICTS OF CHOICE (Education Codes 48300 through 48315)

The law (EC §§ 48300 through 48315) allows a school district to become a district of choice—that is, a district that accepts transfer students from outside the district under the terms of resolution. A school board that decides to become a district

of choice must determine the number of transfers it is willing to accept and make sure that students are selected through a “random and unbiased” process, which generally means a lottery process. Students must request transfer into a district of choice by January 1 of the prior year. Other provisions include:

- Either the district of choice or the district of residence may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district of residence may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Siblings of students already attending school in the district of choice must be given transfer priority.
- Children of military personnel may also be given priority if the district elected to accept transfer pupils pursuant to Section 48301 by a resolution adopted by the governing board of the school district prior to April 1, 2005.
- A parent/guardian may request transportation assistance within the boundaries of the district of choice. The district may provide transportation only to the extent it already does so.

The above summary of the attendance alternatives available to parents/guardians and their children is intended to provide an overview of the laws applying to each alternative. Any parents/guardians who are interested in securing more information about these options, districts’ policies or procedures, and timelines for applying for transfers, should contact their own school district.

CHOOSING A SCHOOL WITHIN THE DISTRICT IN WHICH PARENT/GUARDIAN LIVES

INTRADISTRICT OPEN ENROLLMENT (BP 5116.1 Revised: February 23, 2010)

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. (Education Code 35160.5)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

Enrollment Priorities

Priority for attendance outside a student's attendance area shall be given as follows:

1. If a district school receiving Title I funds is identified for program improvement, corrective action, or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school. (20 USC 6316)
2. If while on school grounds a student becomes the victim of a violent criminal offense, he/she shall be provided an option to transfer to another district school or charter school. (20 USC 7912)
3. If a student attends a school designated by the California Department of Education as "persistently dangerous," he/she shall be provided an option to transfer to another district school or charter school. (20 USC 7912; 5 CCR 11992)
4. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)

- a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
5. Priority may be given to siblings of students already in attendance in that school.
6. Priority may be given to any student whose parent/guardian is assigned to that school as his/her primary place of employment.

For all other applications for enrollment from outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. A school's capacity shall be calculated in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

Transportation

Except as required by 20 USC 6316 for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds.

INTRADISTRICT OPEN ENROLLMENT (AR 5116.1 Revised: February 23, 2010)

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In determining whether a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident on a case-by-case basis and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and his/her parent/guardian in making the offer. If the parent/guardian elects to transfer his/her child, the transfer shall be completed as soon as practicable.

Transfers from a "Persistently Dangerous" School

Within 10 school days after receiving notification from the California Department of Education (CDE) that a school has been designated as "persistently dangerous," the Superintendent or designee shall notify parents/guardians of the school's designation. Within 10 school days after this notification has been provided to parents/guardians, the Superintendent or designee shall notify parents/guardians of their option to transfer their child.

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide written notification to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. For students who accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

Application Period

Open enrollment will occur annually for those students who will enter kindergarten through grade 12 at the beginning of the next school year. Dates will be publicized in advance of the open-enrollment period which will extend from November 15 through January 30 each year.

Open-Enrollment Application Process, Grades K Through 12

1. Intradistrict transfer application forms for residents will be available at a central location.
2. The applications must be completed and submitted during the open-enrollment period (dates)
3. Parent/guardian may request in priority order up to two schools.
4. Each applicant will be notified by mail of his/her placement.
5. Students will be placed on a waiting list in their first-priority school only.

Available space is determined by defined physical and program capacity of the school after placement of enrolled resident students.

Open Enrollment Priorities for Intradistrict Transfer Requests

If the number of applicants exceeds the space available in a school or in a grade within a school, a random lottery selection will determine which students are to be admitted from the total applicants within the priorities. It will also establish annual waiting lists indicating the order in which students will be admitted as openings occur during that school year.

RENEWAL OF INTRADISTRICT TRANSFER AGREEMENTS

For the 2011-2012 school year, annual renewal of intradistrict transfer agreements that were approved for the prior year are requested. Annual renewal of intradistrict transfer agreements will be required following the 2012-2013 school year and shall be completed during open enrollment from November 15 through January 30 each year.

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 48980)

1. All options for meeting residency requirements for school attendance
2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied

5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by the CDE

CHOOSING A SCHOOL OUTSIDE THE DISTRICT IN WHICH PARENT/GUARDIAN LIVES

Parent/guardian has three different options for choosing a school outside the district in which they live. The options are as follows:

INTERDISTRICT ATTENDANCE (BP 5117 Revised: February 23, 2010)

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

The Board desires to communicate with parents/guardians and students regarding the district's educational programs and services.

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

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

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

The law on interdistrict transfers also provides for the following (Portion of Education Code 46600 through 46607):

- If either district denies a transfer request, a parent/guardian may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.
- No district is required to provide transportation to a student who transfers into the district.

PARENTAL EMPLOYMENT IN LIEU OF RESIDENCE TRANSFERS (Portion of Education Code 48504)

The law (EC § 48204(b)) provides that a school district may deem a pupil as having complied with the residency requirements for school attendance if one or both parents/guardians of the student are employed within the boundaries of the district. A school district is not required to accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other "arbitrary" consideration.

CALIFORNIA INTERSCHOLASTIC FEDERATION (CIF)

Transferring from one high school to another may impact a student's eligibility to participate in athletics at their new school. Information on athletic eligibility for transfer students can be obtained on the CIF (California Interscholastic Federation) website: www.cifsjs.com or by calling the Yuba City Unified School District office at 822-7641.

ENROLLMENT VERIFICATION AND IMMUNIZATION PRIOR TO ENROLLMENT

1. Home Address Verification: At the time of registration, the parent/guardian/caregiver must submit a government issued documentation or other verifiable document as a home address verification. No homeless child will be denied admission into school.
2. Immunization (AR 5141.31 – Reviewed: January 27, 2009)

Upon enrollment, students must present evidence of full immunization against diphtheria, pertussis (whooping cough), tetanus (Td), poliomyelitis, measles, mumps and rubella (MMR) as documented by a physician, nurse or clinic in the manner prescribed by the State Department of Health Services.

Upon enrollment, children entering school or a child care and development program at the kindergarten level or below shall also present evidence of immunization against hepatitis B. Children, who have not reached the age of four years, six months shall also present evidence of immunization against haemophilus influenzae type b. (Health and Safety Code 120335)

Upon enrollment on or after July 1, 1999, children entering, advancing, transferring or repeating 7th grade shall present evidence of hepatitis B immunization. (Health and Safety Code 120335)

Any student without the required evidence of immunization shall be excluded from school until the immunization is obtained or until the student presents a letter or affidavit of exemption from his/her parent/guardian or physician. Exemption is allowed when the parent/guardian states in writing that immunization is contrary to his/her beliefs. Exemption is also allowed to the extent indicated by a physician's written statement describing the medical condition of the child and the probable duration of the medical condition or circumstances which contraindicate immunization. (Health and Safety Code 120365, 120370, 120375)

The district may conditionally admit a child with documentation from a physician that: (Health and Safety Code 120340; 17 CCR 6000)

1. He/she has received some but not all required immunizations and is not due for any vaccine dose at the time of admission
2. He/she has a temporary exemption from immunization for medical reasons

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all of the required immunizations. (17 CCR 6070)

In accordance with law, the Superintendent or designee shall notify parents/guardians of the rights of students and parents/guardians relating to immunizations. (Education Code 48216, 48980)

When admission has been denied because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days in which to supply evidence of proper immunization or an appropriate letter of exemption. This notice shall refer the parent/guardian to the child's usual source of medical care. (Education Code 48216; 17 CCR 6040)

If no usual source of medical care exists, the parent/guardian shall be referred to the county health department. (Education Code 48216)

If no usual source of medical care exists, the parent/guardian shall be notified that the immunizations will be administered at school. (Education Code 48216)

The district shall exclude from further attendance any student who fails to obtain the required immunization within no more than 10 school days following receipt of the parent/guardian notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until he/she has received another dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

Immunizations shall not be given without parental consent. (Education Code 49403)

The Superintendent or designee shall annually file a report with the state and local health departments on the immunization status of new entrants or when needed to determine immunization status. (Health and Safety Code 120375; 17 CCR 6075)

HOME & HOSPITAL (AR 6183 Reviewed 3/10/09)

A student with a temporary disability which makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. This instruction applies to students incurring a physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026. (Education Code 48206.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

The district shall offer at least one hour of instruction for every day of instruction offered by the district in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the district in any fiscal year. (Education Code 48200, 48206.3)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The Superintendent or designee may require verification through any reasonable means that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.

Nondistrict Students

A student of another district who is temporarily disabled and confined to a hospital or health facility within this district shall be eligible to receive individual instruction in this district. (Education Code 48207)

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital. (Education Code 48208)

Upon receiving such notification, the Superintendent or designee shall: (Education Code 48208)

1. Within five working days of the notification, determine whether the student is able to receive individualized instruction and, if so, when it shall begin. Instruction shall begin no later than five working days after the Superintendent or designee has determined that the student is able to receive individualized instruction.
2. Within five working days of the beginning of the individualized instruction, the Superintendent or designee shall provide written notification to the district in which the student was previously enrolled stating that the student shall not be counted by that district for purposes of computing average daily attendance, effective the date on which individualized instruction began.

Alternatively, the Superintendent or designee may enter into an agreement with the district in which the student was previously enrolled to have that district provide the individualized instruction. (Education Code 48208)

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that: (Education Code 48208, 48980)

1. Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.
2. If a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.

INDEPENDENT STUDY (BP 6158 Adopted January 25, 2011)

The Governing Board authorizes independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan and enabling students to reach curriculum objectives and fulfill graduation requirements. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis in conjunction with part- or full-time classroom study.

A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Education Code 51747; 5 CCR 11700)

Parents/guardians of students who are interested in independent study shall contact the Superintendent or designee. The Superintendent or designee shall approve independent study for an individual student only upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than he/she would in the regular classroom.

The minimum period of time for any independent study option shall be five consecutive school days.

The Superintendent or designee shall ensure that a written independent study agreement, as prescribed by law, exists for each participating student. (Education Code 51747)

The written agreement shall specify the length of time in which each independent study assignment must be completed. Because excessive leniency in the duration of independent study assignments may result in a student falling behind his/her peers and increase the risk of dropping out of school, independent study assignments shall be no more than:

1. One week for students in grades K-3
2. Two weeks for students in grades 4-8
3. Three weeks for students in grades 9-12, continuation or adult education

for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

When any participating student fails to complete three consecutive independent study assignments in a period of 15 school days, or misses two appointments with his/her supervising teacher without valid reasons, an evaluation shall be conducted to determine whether it is in the student's best interest to remain in independent study.

Supervising teachers should establish an appropriate schedule for student-teacher conferences in order to help identify students falling behind in their work or in danger of failing or dropping out of school. Except in unusual circumstances, it is expected that the supervising teacher will meet, either in person or by electronic means, with each participating student at least once a week to discuss the student's progress.

Missing appointments with the supervising teacher without valid reasons also may trigger an evaluation to determine whether the student should remain in independent study.

The Superintendent or designee shall annually report to the Board the number of students participating in independent study, the average daily attendance generated for apportionment purposes, the quality of these students' work as measured by standard indicators, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

Home-Based Independent Study

The Superintendent or designee shall encourage parents/guardians desiring to teach their children at home to have their children participate in independent study. Such participation allows continued contact and cooperation between the school system and the home-based student and ensures that the student will be offered a standards-based education substantially equivalent in quality and quantity to the district's classroom instruction.

INSTRUCTION FOR TEMPORARILY DISABLED STUDENTS (Ed Code Sections 48206.3, 48207, 48208)

Except for those pupils receiving individual instruction provided pursuant to Section 48206.5, a pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable shall receive individual instruction provided by the district in which the pupil is deemed to reside.

If a student is disabled and receiving medical or health care, that student is entitled to special instruction provided by the school district in which the medical or health facility is located.

Parents should notify the office of the superintendent of the district in which the facility is located to arrange for the provision of instruction. Individual instruction is also available for temporarily disabled students.

MINIMUM DAYS (Ed Code Section 48980)

At the beginning of the first semester or quarter of the regular school term, the governing board of each school district shall provide notifications to the parent or guardian of a minor pupil. Pursuant Ed Code Section 48980(c), the notification shall also advise the parents and guardians of all pupils attending a school within the district of the schedule of minimum days and pupil-free staff development days, and if any minimum or pupil-free staff development days are scheduled thereafter, the governing board shall notify parents and guardians of the affected pupils as early as possible, but not later than one month before the scheduled minimum or pupil-free day.

GENERAL INFORMATION

CUSTODY ISSUES

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to their 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 will be requested to intervene.

Noncustodial Parents (BP 5021 Revised: January 27, 2009)

Noncustodial parents generally retain the same rights as custodial parents unless a court order restricts the rights of the noncustodial parent. These rights include but are not limited to accessing his/her child's student records, participating in school activities and visiting the child at school. If a completed or pending legal action curtails the noncustodial parent's rights, the parent/guardian with custody shall provide evidence of this action to the Superintendent or designee.

Upon request, the district shall provide noncustodial parents with announcements and notices that are sent to the custodial parent.

While both parents can visit the child at school, only the custodial parent has the right to remove the child from school property. Only a verified note or an emergency card from the custodial parent will be cause for exception to this provision.

In the event of an attempted violation of a court order that restricts access to a student, staff shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

NON-DISCRIMINATION/HARASSMENT – (BP 0410 Reviewed 6/23/09)

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in

all district activities. District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities or special needs equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

Individuals with disabilities or special needs shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

The Superintendent or designee shall also provide information about related complaint procedures.

In compliance with law, the district's nondiscrimination policy shall be published in the individual's primary language to the extent practicable.

LAW ENFORCEMENT - REMOVING A STUDENT FROM SCHOOL - RELEASE OF MINOR TO POLICE OFFICER (Pursuant Education Code 48906)

When a principal or other school official releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165.6 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. In those cases, the school official shall provide the peace officer with the address and telephone number of the minor's parent or guardian. The peace officer shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that the minor is in custody and the place where he or she is being held. If the officer has a reasonable belief that the minor would be endangered by a disclosure of the place where the minor is being held, or that the disclosure would cause the custody of the minor to be disturbed, the officer may refuse to disclose the place where the minor is being held for a period not to exceed 24 hours. The officer shall, however, inform the parent, guardian, or responsible relative whether the child requires and is receiving medical or other treatment. The juvenile court shall review any decision not to disclose the place where the minor is being held at a subsequent detention hearing.

(For further information refer to Yuba City Unified School District BP 5145.11 and AR 5145.11)

QUESTIONING AND APPREHENSION (BP 5145.11 Reviewed: January 27, 2009)

Law enforcement officers have the right to interview and question students on school premises. When such an interview is requested, the principal or designee shall ascertain the officer's identity, official capacity, and the authority under which he/she acts. If the officer needs to interview or question the student immediately, the principal or designee shall accommodate the process in a way that causes the least possible disruption to the school, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

Except in cases of child abuse or neglect, the principal or designee shall notify the student's parent/guardian when a law enforcement officer requests an interview on school premises.

At the law officer's discretion and with the student's approval, the principal or designee may be present during the interview.

If the law officer finds it necessary to remove the student from school, the principal or designee shall first ascertain the reason for such action. Upon releasing the student, the principal or designee shall immediately attempt to inform the student's parent/guardian.

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

Subpoenas

Although subpoenas may legally be served at school, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. In these situations, steps should be taken to ensure a minimum of embarrassment or loss of class time for the student.

SEARCH AND SEIZURE (BP 5145.12 Adopted: June 23, 2009)

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

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

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

INDIVIDUAL SEARCHES (BP 5145.12 Adopted: June 23, 2009)

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

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

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

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

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

SEARCHES OF MULTIPLE STUDENT LOCKERS/DESKS (BP 5145.12 Revised: June 23, 2009)

All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

USE OF CONTRABAND DETECTION DOGS (BP 5145.12 Adopted: June 23, 2009)

In an effort to keep the schools free of drugs, the district may use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without their consent.

USE OF SURVEILLANCE CAMERAS (BP 5145.12 Adopted: June 23, 2009)

In furtherance of the district's obligation to provide a safe school environment, the district may install live and/or digital cameras in the common areas of the district. The Superintendent or his designee shall supervise the use and maintenance of surveillance cameras.

The Superintendent or his designee shall notify student, parents/guardians, and staff that surveillance cameras may be installed to record activities in common areas. In addition, they shall be informed that the records can be used in student disciplinary proceedings. Signs will be posted where surveillance cameras are in use. Surveillance cameras shall not be used in an area where there is a reasonable expectation of privacy.

The Superintendent or his designee may review the surveillance camera recording to ensure a safe educational environment. Any recording uses in a student disciplinary proceeding shall be maintained in the student file as a student record. Recordings which result in recommendations for criminal prosecution may be released to law enforcement agencies for their investigation.

MANDATED REPORTING

Teacher notification: (E. C. 49079) A school district shall inform the teacher of every student who has caused, or has attempted to cause, serious bodily injury or injury, as defined in paragraphs (5) and (6) of subdivision (E) of section 243 of the penal code, to another person. The district shall provide the information to the teacher based on any written records that the district maintains or receives from a law enforcement agency regarding a student described in this section. A *"battery"* is any willful and unlawful use of force or violence upon the person of another. *"Serious bodily injury"* means a serious impairment of physical condition, including but not limited to, following: loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing and serious disfigurement *"Injury"* means any physical injury which requires professional medical treatment. A school district shall notify the teacher(s) of any student that has been found in violation of any subsection of E. C. 48900 (Except 48900(h)). This notification will be made for three years following the violation.

Report of assault by pupil against school employee to law enforcement: Failure to Report Misdemeanor: (E.C. 44014) Requires a report to law enforcement officials of attack, assault or menace of any employee by a pupil. States that failure to report is a misdemeanor. This provides sanctions to person impeding such report.

Report of violation to probation officer: (E.C. 48267) Any pupil who has once been adjudged an habitual truant or habitually insubordinate or disorderly during attendance at school by the juvenile court of the county, or has been found to be a person described in Section 602 and as a condition of probation is required to attend a school program approved by a probation officer, who is reported as a truant from school one or more days or tardy on one more days without valid excuse, in the same school year or in a succeeding year, or habitually insubordinate or disorderly during attendance at school, shall be brought to the attention of the pupil's probation or parole officer within ten (10) days of the reported violation.

Notification to law enforcement

Education Code section 48902 requires the principal of a school or the principal's designee to notify the appropriate law enforcement authorities when a student commits acts that may violate certain Penal Code sections or may constitute certain suspendable or expellable offenses. Section 48902 has recently been amended to expand the scope of student conduct for which school officials are required to notify law enforcement.

Section 48902 requires a school principal or principal's designee to:

- Prior to the suspension or expulsion of a student, notify the appropriate law enforcement authorities of the county or city in which the school is situated of acts that may violate Penal Code section 245, which deals with assault with a deadly weapon, instrument, or firearm;
- Within one school day after suspension or expulsion of a student, notify the appropriate law enforcement authority of the county or school district in which the school is situated of any acts that may violate:
- Education Code section 48900(c) (unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of an enumerated controlled substance, alcoholic beverage, or intoxicant); or
- Education Code section 48900(d) (unlawfully offered, arranged, or negotiated to sell an enumerated controlled substance, alcoholic beverage, or intoxicant, and either sold, delivered, or otherwise furnished to a person another liquid, substance or material and represented it as a controlled substance, alcoholic beverage, or intoxicant); and

- Notify the appropriate law enforcement authorities of the county or city in which the school is located of any acts of a student that may involve the possession or sale of narcotics or of a controlled substance, or a violation of Penal Code section 626.9 (Gun-Free School Zone Act) or section 626.10 (bringing or possessing certain knives, blades, tasers, stun guns, and instruments that expel a metallic projectile on school grounds).

Section 48902 has been amended to now additionally require school officials to report any act specified in paragraph (1) or (5) of Education Code section 48915(c), commonly referred to as mandatory expulsion offenses, committed by either a student or *nonstudent* on a school site. Specifically, a school official must report the following conduct by a student or nonstudent:

- Possessing, selling, or otherwise furnishing a firearm; and
- Possession of an explosive.
-

The school principal or designee must report such acts to the city police or county sheriff with jurisdiction over the school and the school security department or the school police department, as applicable.

Under section 48902, the willful failure to make a required report is an infraction punishable by a fine of up to \$500, to be paid by the principal or principal's designee who is responsible for the failure to report. Thus, it is important for school site administrators to be familiar and comply with section 48902.

School accountability report card: (E. C. 35256) A copy of this report card will be provided to parents upon request.

Non-students direction to leave, re-entry: (PC 626.6) In any case in which a person who is not a student or officer or employee of a school, and who is not required by his or her employment to be on campus, enters such campus, and it reasonably appears to the administration that such person is committing any act likely to interfere with the peaceful conduct of the activities of the campus, the administration may direct the person to leave the campus, and if the person fails to do so or if the person willfully and knowingly reenters upon the campus within seven (7) days after being directed to leave, he or she is guilty of a misdemeanor and may be punished.

REGISTRATION PROCEDURE REGARDING VISITORS/OUTSIDERS PURSUANT AR 1250 (Approved: January 25, 2011)

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

Disruptions (AR 3515.2 Approved: September 9, 2008)

The principal or designee may direct a person to leave school grounds when there is a reasonable basis for concluding that the person is committing, or has entered campus with the purpose of committing, an act that is likely to interfere with the peaceful conduct, discipline, good order, or administration of school activities or with the intent to inflict damage on any person or property. He/she may also ask a person to leave who uses loud and/or offensive language which could provoke a violent reaction or a person who has otherwise established a continued pattern of unauthorized entry on school grounds. This shall not apply if that person is a student, school employee, or other person required by his employment to be on school grounds. (Education Code 44810, 44811; Penal Code 415.5, 626.7, 626.8)

The principal or designee may also direct a specified drug offender to leave school grounds, unless that person is a student at the school, a parent/guardian of a child attending the school, or he/she has prior written permission for entry from the principal or designee. (Penal Code 626.85)

When directing any person to leave school premises, the principal or designee shall inform the person that he/she will be guilty of a crime if he/she:

1. Remains after being directed to leave (Education Code 44811; Penal Code 626.8)
2. Returns to the campus without following the school's posted registration requirements (Penal Code 626.7)
3. Returns within seven days after being directed to leave (Penal Code 626.8, 626.85)

The principal or designee may direct a person who is required to register as a sex offender to immediately leave school grounds, unless he/she is on school grounds for lawful business and with the principal's permission. If such a person does not leave school grounds, the principal or designee shall inform the person that he/she may be guilty of a crime.

The principal or designee shall notify law enforcement as appropriate.

Appeal Procedure

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)

THE EDUCATION EMPOWERMENT ACT OF 1998; PARENTAL REVIEW (Availability of Course Prospectus)

The curriculum, including titles, descriptions, and instructional aims of every course offered by a public school, shall be compiled at least once annually in a prospectus. Each school site shall make its prospectus available for review upon request. When requested, the prospectus shall be reproduced and made available. School officials may charge for the prospectus an amount not to exceed the cost of duplication.

SPECIAL EDUCATION PROGRAMS

California law requires school districts to make special programs available to all pupils with exceptional needs who are eligible for services. Parents of children who are suspected to have a disability, or who are determined to be eligible for special education services, are entitled to receive a written copy of the District's procedural safeguards which provides an explanation of their rights, and will be required to sign an acknowledgment that they have been advised of their rights. If facilities or services are not available or cannot be reasonably provided, the district may arrange for a neighboring district to provide the special program.

If a pupil is physically handicapped, mentally retarded, developmentally delayed, multiple handicapped, or has other exceptional needs, and the district cannot provide a program, it must make available a free and appropriate education in a public or private nonsectarian school or agency that offers the necessary special education facilities and services and meets certain education requirements.

Transportation may be included in the program responsibility for the school district.

In addition, a pupil with a mental or physical impairment which substantially limits a major life activity may be entitled to reasonable accommodations in his/her program.

Contact Elizabeth Engelken, Director of Student Support, at 822-7655 or 822-7651 for further information.

Section 504 – 29 USC 794, 34 CFR 104.32

Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101 et seq.) prohibit discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met. Parents or guardians should be informed of the following: the name and contact information of the person 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. Note: The definition of "major life activity" has been expanded due to amendments to the ADA in 2009. Students, parents, and guardians or others who have questions or concerns regarding the District's Section 504 policy may contact Bruce Morton, Director of Student Welfare and Attendance at 822-7641.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (BP 5141.21 Adopted January 25, 2011)

Administering Medication And Monitoring Health Conditions (BP 5141.21 adopted: January 25, 2011)

The Governing Board recognizes that some students may need to take medication prescribed by a physician during the school day in order to be able to attend school and/or participate in the educational program. The Superintendent or designee shall develop processes for the administration of medication to these students. For any student with a disability, as defined under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program or Section 504 accommodation plan.

If a parent/guardian chooses, he/she may administer the medication to his/her child at school or designate another individual who is not a school employee to do so on his/her behalf.

In addition, upon written request by the parent/guardian and with the approval of the student's physician, a student with a medical condition that requires frequent treatment, monitoring, or testing may be allowed to self-administer, self-monitor, and/or self-test. The student shall observe universal precautions in the handling of blood and other bodily fluids.

Administration of Medication by School Personnel

Prescribed medication may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's physician and parent/guardian. (Education Code 49423; 5 CCR 600)

School nurses and other designated school personnel shall administer medications in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

Only a school nurse or other school employee with an appropriate medical license may administer an insulin injection to a student. In the event such licensed school personnel are unavailable, the district may contract with a licensed nurse from a public or private agency to administer insulin to the student. However, in an emergency situation such as a public

disaster or epidemic, a trained, unlicensed district employee may administer an insulin injection to a student.

To the extent that the administration of a medication, such as epinephrine auto-injector or glucagon, is authorized by law, the Superintendent or designee shall ensure that unlicensed personnel designated to administer it to students receive appropriate training from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, recognition of symptoms and treatment, emergency follow-up procedures, and proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by and provided with emergency communication access to a school nurse, physician, or other appropriate individual.

The Superintendent or designee shall maintain documentation of the training, ongoing supervision, as well as annual written verification of competency of such other designated school personnel.

PUPIL HEALTH; SELF-ADMINISTERING OF ASTHMA MEDICATION (Education Code 49423.1)

(a) Notwithstanding Section 49422, any pupil who is required to take, during the regular school day, medication prescribed for him or her by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer inhaled asthma medication if the school district receives the appropriate written statements specified in subdivision (b).

(b) (1) In order for a pupil to be assisted by a school nurse or other designated school personnel pursuant to subdivision (a), the school district shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil requesting that the school district assist the pupil in the matters set forth in the statement of the physician or surgeon.

(2) In order for a pupil to carry and self-administer prescription inhaled asthma medication pursuant to subdivision (a), the school district shall obtain both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer inhaled asthma medication, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction by taking medication pursuant to this section.

(3) The written statements specified in this subdivision shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

(c) A pupil may be subject to disciplinary action pursuant to Section 48900 if that pupil uses inhaled asthma medication in a manner other than as prescribed.

CONTINUING MEDICATION REGIMEN (PURSUANT EDUCATION CODE 49480)

The parent or legal guardian of any pupil on a continuing medication regimen for a nonepisodic condition, must inform the school nurse or [other contact person] 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.

HEALTH EXAMINATIONS (AR 5141.3 Reviewed: January 27, 2009)

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980)

A parent/guardian may annually file a written statement with the principal withholding consent to the physical examination of his/her child. The child shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451)

Vision and Hearing Tests

Students shall have their vision and hearing tested by qualified personnel authorized by the district. (Education Code 49452, 49454)

All students shall be tested for visual acuity when they first enroll in elementary school and every three years thereafter until the student completes grade 8. External observations of the student's eyes, visual performance and perception shall be made by the school nurse and the classroom teacher. (Education Code 49455)

For male students, color vision shall be tested one time, after the student reaches grade 1. Results of the test shall be entered into the student's health record. (Education Code 49455)

Evaluation of a student's vision may be waived at the parent/guardian's request if the parent/guardian presents a certificate from either a medical doctor or an optometrist specifying the results of an examination of the student's vision including visual acuity, and, in male students, color vision. (Education Code 49455)

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. If made in writing, such reports shall not include a referral to any private practitioner, and the report of a visual defect shall be made on a form prescribed by the Superintendent of Public Instruction. (Education Code 49456)

The student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county or city department of public health. (Education Code 49456)

Scoliosis Screening

Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis. This screening shall comply with California Department of Education standards and shall be performed by qualified personnel as specified in law. (Education Code 49452.5)

Persons performing the screening shall not solicit, encourage or advise treatment of the student for scoliosis or any other condition discovered in the course of the screening. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age. This notice shall also describe the public services available for treatment and include a referral to appropriate community resources. (Education Code 49452.5)

VISION SCREENING (Education Code 49455)

Upon first enrollment in a California school district of a child at a California elementary school, and at least every third year thereafter until the child has completed the eighth grade, the child's vision shall be appraised by the school nurse or other authorized person under Section 49452. This evaluation shall include tests for visual acuity and color vision; however, color vision shall be appraised once and only on male children, and the results of the appraisal shall be entered in the health record of the pupil. Color vision appraisal need not begin until the male pupil has reached the first grade. Gross external observation of the child's eyes, visual performance, and perception shall be done by the school nurse and the classroom teacher. The evaluation may be waived, if the child's parents so desire, by their presenting of a certificate from a physician and surgeon or an optometrist setting out the results of a determination of the child's vision, including visual acuity and color vision.

The provisions of this section shall not apply to any child whose parents or guardian file with the principal of the school in which the child is enrolling, a statement in writing that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

SIGHT AND HEARING TESTING (Education Code 49452)

The governing board of any school district shall, subject to Section 49451, provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district. The test shall be adequate in nature and shall be given only by duly qualified supervisors of health employed by the district; or by certificated employees of the district or of the county superintendent of schools who possess the qualifications prescribed by the Commission for Teacher Preparation and Licensing; or by contract with an agency duly authorized to perform those services by the county superintendent of schools of the county in which the district is located, under guidelines established by the State Board of Education; or accredited schools or colleges of optometry, osteopathic medicine, or medicine. The records of the tests shall serve as evidence of the need of the pupils for the educational facilities provided physically handicapped individuals. The equipment necessary to conduct the tests may be purchased or rented by governing boards of school districts. The state, any agency, or political subdivision thereof may sell or rent any such equipment owned by it to the governing board of any school district upon terms as may be mutually agreeable.

SCOLIOSIS SCREENING (Education Code 49452.5)

The governing board of any school district shall, subject to Section 49451 and in addition to the physical examinations required pursuant to Sections 100275, 124035, and 124090 of the Health and Safety Code, provide for the screening of every female pupil in grade 7 and every male pupil in grade 8 for the condition known as scoliosis. The screening shall be in accord with standards established by the State Department of Education. The screening shall be supervised only by qualified supervisors of health as specified in Sections 44871 to 44878, inclusive, and Section 49422, or by school nurses employed by the district or the county superintendent of schools, or pursuant to contract with an agency authorized to perform these services by the county superintendent of schools of the county in which the district is located pursuant to Sections 1750 to 1754, inclusive, and Section 49402 of this code, Section 101425 of the Health and Safety Code, and guidelines established by the State Board of Education. The screening shall be given only by individuals who supervise, or who are eligible to supervise, the screening, or licensed chiropractors, or by certificated employees of the district or of the county superintendent of schools who have received in-service training, pursuant to rules and regulations adopted by the State Board of Education, to qualify them to perform these screenings. It is the intent of the Legislature that these screenings be performed, at no additional cost to the state, the school district, or the parent or guardian, during the regular school day and that any staff time devoted to these activities be redirected from other ongoing activities not related to the pupil's health care.

In-service training may be conducted by orthopedic surgeons, physicians, registered nurses, physical therapists, and chiropractors, who have received specialized training in scoliosis detection.

Pupils suspected of having scoliosis during the initial screening shall be rescreened by an orthopedic surgeon when there will be no cost to the state, the school district, or the parent or guardian.

No person screening pupils for scoliosis pursuant to this section shall solicit, encourage, or advise treatment or consultation by that person, or any entity in which that person has a financial interest, for scoliosis or any other condition discovered in the course of the screening.

The governing board of any school district shall provide for the notification of the parent or guardian of any pupil suspected of having scoliosis. The notification shall include an explanation of scoliosis, the significance of treating it at an early age, and the public services available, after diagnosis, for treatment. Referral of the pupil and the pupil's parent or guardian to appropriate community resources shall be made pursuant to Sections 49426 and 49456.

No action of any kind in any court of competent jurisdiction shall lie against any individual, authorized by this section to supervise or give a screening, by virtue of this section.

In enacting amendments to this section, it is the intent of the Legislature that no participating healing arts licensee use the screening program for the generation of referrals or for his or her financial benefit. The Legislature does not intend to deny or limit the freedom of choice in the selection of an appropriate health care provider for treatment or consultation.

DENTAL READINESS FOR SCHOOL

To make sure your child is ready for school, California law, Education Code Section 49452.8, now requires that your child have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is his or her first year in public school. Assessments that have happened within the 12 months before your child enters school also

meet this requirement. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional.

Parent Resources for Type 2 Diabetes

Type 2 diabetes is the most common form of diabetes in adults. Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.

According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime. Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy. The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.

The pancreas makes insulin, a hormone that moves glucose from the blood to the cells. In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise. Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia. Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.

Get more physical activity. Increase physical activity to at least 60 minutes every day.

Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.

References

American Diabetes Association Clinical Journal (Outside Source)

Helping Children with Diabetes Succeed: A Guide for School Personnel (PDF; Outside Source)

Kids Health (Outside Source)

Mayo Clinic (Outside Source)

National Library of Medicine (NLM) and National Institutes of Health's (NIH) MedLine (Outside Source)

US Centers for Disease Control and Prevention (Outside Source)

STUDENT WELLNESS (BP 5030 Adopted: January 27, 2009)

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment, and parent/guardian and community involvement.

To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

School Health Council/Committee

The Superintendent or designee may appoint a school health council or other committee consisting of parents/guardians, students, food service employees, district and school site administrators, Board representatives, health professionals, school nurses, health educators, physical education teachers, counselors, members of the public, and/or others interested in school health issues.

The school health council or committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the council's charge(s) may include the planning and implementation of activities to promote health within the school or community.

Nutrition Education and Physical Activity Goals

The Board shall adopt goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the district determines appropriate. (42 USC 1751 Note)

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

Nutrition education shall be provided as part of the health education program in grades K-12 and, as appropriate, shall be integrated into other academic subjects in the regular educational program. Nutrition education also may be offered through before- and after-school programs.

All students in grades K-12 shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, before- and/or after-school programs, and other structured and unstructured activities.

The Superintendent or designee shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees. Professional development may include instructional strategies that assess health knowledge and skills and promote healthy behaviors.

Nutritional Guidelines for Foods Available at School

The Board shall adopt nutritional guidelines for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity. (42 USC 1751 Note)

The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through the district's food service program, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutritional standards.

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

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one such food or beverage per party. Class parties or celebrations shall be held after the lunch period when possible.

Guidelines for Reimbursable Meals

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. (42 USC 1751 Note)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs, to the extent possible.

Program Implementation and Evaluation

The Board shall establish a plan for measuring implementation of this policy. The Superintendent shall designate at least one person within the district and at each school who is charged with operational responsibility for ensuring that each school site implements this policy. (42 USC 1751 Note)

To determine whether the policy is being effectively implemented district wide and at each district school, the following indicators shall be used:

1. Descriptions of the district's nutrition education, physical education, and health education curricula
2. Number of minutes of physical education instruction offered at each grade span
3. Number and type of exemptions granted from physical education
4. Results of the state's physical fitness test
5. An analysis of the nutritional content of meals served based on a sample of menus
6. Student participation rates in school meal programs
7. Any sales of non-nutritious foods and beverages in fundraisers or other venues outside of the district's meal programs
8. Feedback from food service personnel, school administrators, the school health council, parents/guardians, students, and other appropriate persons
9. Any other indicators recommended by the Superintendent and approved by the Board

The Superintendent or designee shall report to the Board at least every two years on the implementation of this policy and any other Board policies related to nutrition and physical activity.

Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

SHADYCREEK CHECK

All 5th grade students will be checked for head lice prior to going to Shadycreek.

HOMELESS YOUTH EDUCATION - 42 US 11432

Requires school district homeless liaisons 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.

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 or unaccompanied 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).
5. Notice of educational rights of homeless children to be disseminated at places where children receive services, such as schools, shelters, and soup kitchens.

Bruce Morton, Director of Student Welfare Attendance, is the liaison for Yuba City Unified School District. He may be reached at 822-7641.

ADMINISTRATOR RECOMMENDATION OF EXPULSION

MUST RECOMMEND EXPULSION* Ed Code § 48915(c)	MUST RECOMMEND UNLESS PARTICULAR CIRCUMSTANCES RENDER INAPPROPRIATE Ed Code § 48915(a).	MAY RECOMMEND EXPULSION Education Code § 48900
<p>1. Firearm.</p> <p>a. Possessing firearm when a district employee verified firearm possession and when student did not have prior written permission for firearm possession from a certificated employee concurred in by principal or designee.</p> <p>b. Selling or otherwise furnishing a firearm.</p> <p>2. Brandishing a knife at another person.</p> <p>3. Unlawfully selling a controlled substance listed in Health and Safety Code § 11053 et seq.</p> <p>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.</p> <p>5. Possession of an explosive.</p> <p>Under Education Code Section 48915 (c)(3), if a student sells a controlled substance at school or at a school activity off campus, the principal and the Superintendent or his/her designee shall recommend and the board shall expel, the student.</p> <p>Violation of the above offenses must result in an expulsion for one year from the date of the Governing Board decision.</p>	<p>1. "Causing serious physical injury to another person, except in self-defense." Ed Code § 48915(a)(1).</p> <p>2. "Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil." Ed Code § 48915(a)(2).</p> <p>3. "Unlawful possession of any controlled substance listed in . . . Health and Safety Code [section 11053 et seq], except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis." Ed Code § 48915(a)(3).</p> <p>4. "Robbery or extortion." Ed Code § 48915(a)(4).</p> <p>5. "Assault or battery as defined in §240 and 242 of the Penal Code, upon any school employee." Ed Code § 48915(a)(5).</p>	<p>1. Physical Injury (a)</p> <p>2. Dangerous Objects (b)</p> <p>3. Drugs or Alcohol (c)</p> <p>4. Offered, arranged, or negotiated to sell material represented to be a controlled substance (d)</p> <p>5. Robbery or Extortion (e)</p> <p>6. Damage to Property (f)</p> <p>7. Theft (g)</p> <p>8. Tobacco (h)</p> <p>9. Obscenity/Profanity/Vulgarity (i)</p> <p>10. Drug Paraphernalia (j)</p> <p>11. Disruption/Defiance (k)</p> <p>12. Receive Stolen Property (l)</p> <p>13. Imitation Firearm Possession (m)</p> <p>14. Committed or attempted to commit a sexual assault or a sexual battery (n)</p> <p>15. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school district 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. (o)</p> <p>16. Offered, arranged or negotiated to sell the prescription drug, Soma. (p)</p> <p>17. Hazing as defined in PC §245.6 (q)</p> <p>18. Bullying, but not limited to, bullying by means of an electronic at, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. (r)</p> <p>19. Committed sexual harassment.**(48900.2)</p> <p>20. Hate violence (48900.3)**</p> <p>21. Harassment, Threats, or Intimidation (48900.4)**</p> <p>21. Terrorist threats against school officials or school property. (48900.7)</p> <p>**This section does not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive</p>

ED CODE SECTION 48900 (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.

ED CODE SECTION 48900 (t) - Aiding and Abetting

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 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).

OFFENSES & CONSEQUENCES

The following offenses are serious but generally do not require a recommendation for expulsion on the first offense. In extreme or severe cases, the penalty assessed may include additional days of suspension or recommendation for expulsion. Those offenses not enumerated here will be dealt with by principals or their designee at each school as conditions warrant and in relation to rules specific for each school. **The Superintendent or designee has the right to make a change, either increasing or decreasing the consequence, based on extenuating circumstances.**

GLOSSARY

ISD - In School Detention

OCS - Off Campus Suspension

ASD - After School Detention

ASWD - After School Work Detail

CRO - Campus Resource Officer

SAP - Student Assistance Program

#	OFFENSE	DEFINITION	MINIMUM FIRST OFFENSE	MAXIMUM FIRST OFFENSE	MINIMUM SECOND OFFENSE	MAXIMUM SECOND OFFENSE
1.	Abusive Slurs, (racial, ethnic, religious, disabled, etc.)	To insult, revile, malign, or disparage in speech. The use of profanity	ASD or ASWD Saturday Sch. Parent contact	2 day ISD/OCS Parent contact	1 day ISD/OCS Parent contact	5 day OCS Parent contact
2.	Accessory to an offense	To help another commit an offense To take part in committing an offense whether present or not	See specific offense for discipline guidelines	Same	Same	Same

#	OFFENSE	DEFINITION	MINIMUM FIRST OFFENSE	MAXIMUM FIRST OFFENSE	MINIMUM SECOND OFFENSE	MAXIMUM SECOND OFFENSE
3.	Arson	To purposely set fire to another's real or personal property	1 day OCS. Parent contact Notify CRO	5 day OCS Rec. Expul. Parent contact Notify CRO	5 day OCS. Parent contact Notify CRO	5 day OCS Rec. Expul. Parent contact Notify CRO
4.	Assault	An offer, coupled with an apparent present intent and ability, to inflict immediate injury to another (Mere words NEVER constitute assault.)	1 day ISD/OCS Parent contact Notify CRO	5 day OCS Poss. Rec. Expul. Parent contact Notify CRO	5 day OCS. Parent contact Notify CRO	5 day OCS. Rec. Expul. Parent contact Notify CRO
5.	Battery	The willful and unlawful use of force or violence upon the person of another	1 day ISD/OCS. Parent contact Notify CRO	5 day OCS. Rec. Expul. Parent contact Notify CRO	5 day OCS. Notify CRO Parent contact	5 day OCS. Rec. Expul. Parent contact Notify CRO
6.	Bikes Skates Skateboards Roller Blades	Riding on school grounds	Warning & name and ID# turned into Administrator	ASD or ASWD Saturday School	Confiscation ASD or ASWD Saturday School Parent contact	1 day ISD/OCS Confiscation for duration of semester. Parent contact
7.	Bomb/Fire Threat	To threaten to use explosives or fire to cause alarm, injury, damage	1 day ISD/OCS. Notify CRO Parent contact	5 day OCS Rec. Expul. Notify CRO Parent contact	5 day OCS Rec. Expul. Notify CRO Parent contact	5 day OCS. Rec. Expul. Notify CRO Parent contact
8.	Brandish	Brandishing a knife or knife-like object. Notify CRO for all offenses.	Expulsion for one year from the date of the Governing Board's decision.	Expulsion for one year from the date of the Governing Board. decision	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Gov. Board decision.
9.	Breaking & Entering	To forcibly enter secured school areas or vehicles	3 day OCS. Notify CRO Parent <u>contact</u>	5 day OCS. Rec. Expul. Notify CRO <u>Parent contact</u>	5 day OCS. Notify CRO Parent <u>contact</u>	5 day OCS. Rec. Expul. Notify CRO <u>Parent contact</u>
10.	Bus Referral	Misbehavior while on bus to or from school	Warning and/or ASD or ASWD Saturday School	3 day bus susp. and parent contact	2 week bus susp. Parent contact	1 yr. bus susp. Parent contact

#	OFFENSE	DEFINITION	MINIMUM FIRST OFFENSE	MAXIMUM FIRST OFFENSE	MINIMUM SECOND OFFENSE	MAXIMUM SECOND OFFENSE
11.	Cheating	Dishonesty while taking a test/ completing an assignment. Using prohibited materials during a test	A zero grade on the assign., test or project. 1 day ISD/OCS Parent contact	A zero grade on the assign., test or project. and all related course work for the quarter. 5 day ISD/OCS Parent contact	Same as first offense maximum Parent contact	A failing grade in the course. Possible removal from the course. 5 day OCS Parent contact
12.	Dangerous Objects	The possession of any dangerous objects as determined by the administration to be of no reasonable use to the student. May include but not limited to shock pens, shock lighters, lasers.	1 day ISD/OCS Parent contact	5 day ISD/OCS Parent contact Possible expulsion	5 day ISD/OCS Parent contact Possible expulsion	5 day ISD/OCS Parent contact Possible expulsion
13.	Cutting	Leaving class without a valid pass/not attending class without a valid excuse	ASD or ASWD Saturday School Parent contact	3 day ISD Saturday School ASD Parent contact	2 day ISD Parent contact	5 day ISD Saturday School ASD Parent contact
14.	Disrupting School Activities or Inciting Campus Unrest	Any cause or attempt to cause disruption of school activities or incite campus unrest	1 day ISD/OCS Parent contact	3 days ISD/OCS Parent contact Possible Expulsion	3 days ISD/OCS Parent contact	5 days OCS Parent contact Notify CRO Possible Expulsion
15.	Drugs or alcohol. Possess, furnish or use of Controlled Substance or Paraphernalia	To be under the influence of, or in possession of drugs or alcohol. (a substantiated offense)	5 day OCS. Recommend Expulsion Notify CRO Parent contact Student Assistance Program participation	5 day OCS Recommend Expulsion Notify CRO Parent contact Student Assistance Program participation	5 day OCS Recommend Expulsion Notify CRO Parent contact Student Assistance Program participation	5 day OCS Recommend Expulsion Notify CRO Parent contact Student Assistance Program participation
16.	Electronic Devices (Inappropriate use of electronic devices)	Disruption of school activities with electronic device	Confiscation Parent contact Note to File Ret. to Parent	Confiscation Parent contact Note to File Ret. to Parent	Confiscation Parent contact Note to File Ret. to Parent	Five day ISD/OCS Parent contact Note to File Ret. to Parent

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17.	False Fire Alarm	Pulling, tampering or causing fire alarm to sound needlessly	3 day OCS. Parent contact	5 day OCS. Parent contact Possible Expul.	5 day OCS Parent contact Rec. Expul.	5 day OCS Parent contact Rec. Expul.
18.	Fighting Gang-related fighting incidents penalties will be enhanced.	Mutual combat with both parties involved in physical conflict	Grades 1-5: 1 day ISD/OC Grades 6-12: 5 day ISD/OCS. Parent contact	Grades 1-5: 2 day ISD/OC Grades 6-12: 5 day OCS. Possible Expul. Parent contact	Grades 1-5: 2 day ISD/OC Grades 6-12: 5 day OCS. Possible Expul. Parent contact	Grades 1-5: 3 day ISD/OC Grades 6-12: 5 day OCS. Parent contact Expul.
19.	Firearms	Possessing, selling or furnishing a firearm. Must notify CRO for all offenses.	Expulsion for one year from the date of the Governing Board's decision.	Expulsion for one year from the date of the Governing Board's decision.	Expulsion for one year from the date of the Governing Board's decision.	Expulsion for one year from the date of the Governing Board's decision.
20.	Fireworks	Cylinders holding explosives for purpose of lighting effects or loud noises.	1 day ISD/OC Parent contact	2 day ISD/OC Grades 6-12: Parent contact Possible. Exp.	5 day OCS. Parent contact Possible Exp.	5 day OCS. Parent contact Possible Exp.
21.	Forgery, False ID., Altering Legal Doc. (i.e. Scantron, grades)	To imitate/alter a signature or use an identification belonging to another	ASD or ASWD or Saturday School Parent contact	3 day ISD/OCS Parent contact Possible Exp.	2 day ISD/OCS Parent contact	5 day OCS Parent contact Possible Exp.
22.	Gambling	To play a game of chance for money or other stakes	ASD or ASWD Saturday School Parent contact	2 day ISD/OCS Parent contact Notify CRO	1 day ISD/OCS. Parent contact	3 day ISD/OCS Parent contact Notify CRO
23.	Gang-related Activities	Wearing gang-related clothing, paraphernalia, exchanging words and/or stares, or any activity associated with gangs.	Clothes and paraphernalia confiscated. Parent contact. 1 day ISD/OCS	Clothes and paraphernalia confiscated. Parent contact. 5 days OCS	Clothes and paraphernalia confiscated. Parent contact. 3 days ISD/OCS	Clothes and paraphernalia confiscated. Parent contact. 5 days ISD/OCS Recom. Exp.

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24.	Harassment	A pattern of verbally or physically intimidating or threatening to cause harm to another person	ASD or ASWD 2 day ISD/OCS Saturday School Parent contact	5 day ISD/OCS Parent contact	5 day ISD/OCS Parent contact	5 day ISD/OCS, Referral to appropriate program Parent contact Recommend expulsion
25.	Hate Crime	Causing or attempting to cause or participating in an act of hate violence.	1 day ISD/OCS ASD or ASWD Saturday School Parent contact	5 days ISD/OCS ASD or ASWD Saturday School Parent contact Possible expulsion	3 days ISD/OCS ASD or ASWD Saturday School Parent contact Possible expulsion	5 days ISD/OCS Rec. Expulsion Parent contact
26.	In-subordination	A contemptuous refusal to comply with reasonable request or open disregard expressed in words or actions	ASD or ASWD Saturday School Parent contact	3 day ISD/OCS Parent contact	1 day ISD/OCS Parent contact	5 day OCS Parent contact
27.	Lasers	To be in possession of a laser pointer.	1 day ISD/OCS Confiscation	3 day ISD/OCS Confiscation Parent contact	3 day ISD/OCS Confiscation Parent contact	5 day ISD/OCS Confiscation Parent contact
28.	Loitering in Parking Lots or in Cars	Sitting or loitering in or around cars, playing car radios, or eating in cars	ASD or ASWD Saturday School	1 day ISD/OCS	Parent contact Revoke parking sticker 1 month	Parent contact 1 year loss of parking sticker
29.	Look-alike drugs	Offered, arranged or negotiated to sell substance representing to be a controlled substance	1 day OCS Notify CRO	5 days OCS Recom. Exp. Notify CRO	5 days OCS Recom. Exp. Notify CRO	5 days OCS Recom. Exp. Notify CRO
30.	Missed Sat. School	Failure to attend assigned Sat. school	Admin. Conf. plus serve missed Sat.	Serve miss Sat School Conf. and 1 day ISD	Serve missed Sat. School 2 days ISD Parent contact	Serve missed Sat. School 5 days ISD Parent contact

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31.	No Student ID Card	Failure to possess and have on person valid high school student ID card	1 day ASD or ASWD Saturday School	2 day ASD ASWD Saturday School	ASD ASWD Saturday School & Parent contact	ASD ASWD Saturday School & Parent contact
32.	Obscene Acts, Profanity	A detestable act, offensive to current accepted standards of morality, modesty, or decency. Swearing, irreverent language, gestures	Alternative means of correction. Possible suspension.	1 day ISD/OCS Parent contact Parent conf Alternative Means of Correction	2 day suspension. Parent contact	3 day suspension. Parent contact Expulsion
33.	Possession of Stolen goods	To be in possession, knowingly or unknowingly, of items obtained by theft	1 day ISD/OCS. Parent contact	5 day ISD/OCS. Parent contact Possible Rec. Expulsion	3 day ISD/OCS. Parent contact	5 days ISD/OCS Recommend Expulsion Parent contact
34.	Public Display of Affection	Inappropriate groping, fondling, necking, kissing, hugging	Warning Conf. with students	Parent contact ASD or ASWD Saturday School	Parent contact ASD or ASWD Saturday School	1 day ISD Parent contact
35.	Purchasing a Controlled Substance	To purchase drugs or alcohol (a substantiated offense)	5 days OCS Recom Expul. Notify CRO Parent contact	5 days OCS Recom Expul. Notify CRO Parent contact	5 days OCS Recom expul. Notify CRO Parent contact	5 days OCS Recom Expul. Notify CRO Parent contact
36.	Rape, Sexual Assault	To have forced sexual contact with another without their consent Notify CRO for all offenses.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Bd. decision.
37.	Reckless Driving On or Around Campus	Driving in a manner that endangers the safety of persons or property	Susp. parking permit 1 wk. Parent contact. ASD/ASWD Saturday School Notify CRO	Suspend parking permit for 1 month. Parent contact ASD/ASWD Saturday School Notify CRO	Susp. parking permit for sem. Notify CRO and parent contact ISD	Susp. parking permit for rest of school year. Notify CRO and parent contact OCS

#	OFFENSE	DEFINITION	MINIMUM FIRST OFFENSE	MAXIMUM FIRST OFFENSE	MINIMUM SECOND OFFENSE	MAXIMUM SECOND OFFENSE
38.	Robbery/ Extortion	To take another's property from their locker, vehicle or their person in their immediate presence by the use of violence or intimidation	1 day ISD/OCS Notify CRO Parent contact	5 days ISD/OCS Rec. Expul. Notify CRO Parent contact Parent Conf.	5 days OCS Notify CRO Parent contact	5 days OCS Recommend Expulsion Notify CRO Parent contact
39.	Sale of a Controlled Substance	To sell drugs. Notify CRO for all offenses.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.
40.	Sexual Assault	Sexual battery or sexual assault which includes acts that are committed against the other person's will. Notify CRO for all offenses.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.	Expulsion for one year from the date of the Governing Board decision.
41.	Sexual Harassment	Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of sexual nature	1 day ISD/OCS ASD or ASWD Saturday School Parent contact	5 days ISD/OCS ASD or ASWD Saturday School Parent contact Possible expulsion	3 days ISD/OCS ASD or ASWD Saturday School Parent contact Possible expulsion	5 days ISD/OCS Rec. Expulsion Parent contact
42.	Smoking and/or Possession of Tobacco Products	The possession or use of cigarettes, other forms of tobacco, or tobacco related items. (including lighters)	1 day ISD/OCS Parent contact Student Assistance Program participation	1 day ISD/OCS Parent contact Student Assistance Program participation	3 days ISD/OCS Parent contact Student Assistance Program participation	5 days OCS Parent contact Student Assistance Program class participation
43.	Theft	Taking property belonging to another	2 days ISD/OCS Notify CRO Restitution Parent contact	5 days ISD/OCS Restitution Parent contact Notify CRO	4 days ISD/OCS Restitution Parent contact Notify CRO	5 days OCS Restitution Parent contact Notify CRO Rec. Expulsion

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44.	Threatening, Striking, Menacing a Staff Member Attempted or Actual Phys. Assault on Staff	An offer, coupled with an apparent present intent and ability, to inflict immediate injury to staff member and/or the unlawful touching or striking of a staff member by a student or any substance put in motion by him and/or verbal threats or harassment of staff member by student	5 days ISD/OCS Possible Expul. Notify CRO Parent contact	5 days OCS Recommend Expul. Notify CRO Parent contact	5 days OCS Recommend Expul. Notify CRO Parent contact	5 days OCS Recom Expul. Notify CRO Parent contact
45.	Threatening, Striking, Menacing a Student. Attempted or Actual Phys. Assault on a Student.	An offer, coupled with an apparent present intent and ability, to inflict immediate injury to a student and/or the unlawful touching or striking of a student by a student or any substance put in motion by him and/or verbal threats or harassment of student member by student	5 days ISD/OCS Possible Expul. Notify CRO Parent contact	5 days OCS Recommend Expul. Notify CRO Parent contact	5 days OCS Recommend Expul. Notify CRO Parent contact	5 days OCS Recom Expul. Notify CRO Parent contact
46.	Truancy	Three full days of unexcused absences from school. Days need not to be consecutive.	ASD or ASWD Saturday School	Saturday School ASD	ISD Saturday School ASD Parent contact	ISD Saturday School ASD Parent contact
47.	Vandalism Destruction of School Property Graffiti	The willful or malicious destruction of any real or personal property belonging to another, or the school district	1 day ISD/OCS ASWD Parent contact Restitution	5 days ISD/OCS ASWD Parent contact Restitution	3 ISD/OCS ASWD Parent contact Restitution	5 days OCS Rec. Expul. Parent contact Restitution

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48.	Violation of Standards of Dress	Having bare midriff, gang, drug, tobacco-related or profane logos, short-shorts, bathing suits or other items of attire that are inappropriate to a school setting	Refer to Admin.'s office for change of attire Parent contact	Change of attire Parent contact	Change of attire Parent contact ASWD	Change of attire Parent contact ISD/OCS for defiance
49.	Weapons/ Imitation firearm	The possession of a firearm, knife or any variety of other weapons deemed dangerous. May include, but is not limited to, tear gas, OC spray (pepper spray), taser guns, stun guns, BB guns, pellet guns, blackjacks, sling shots, billy clubs, shurikens, nanchakus, metal knuckles, spears, and look-alike weapons.	5 day ISD/OCS. Notify CRO Mitigation Contract. Parent contact	5 day OCS. Recom. Expul. Notify CRO Parent contact	5 day OCS. Recom. Expul. Notify CRO Mitigation Contract Parent contact	5 day OCS. Recom. Expul. Notify CRO Parent contact
50.	Willful Disobedience; Disrupting School Activities	Willfully disobeying the authority of the school administration/ staff and/or disrupting school.	ASD or ASWD Saturday School Parent contact	3 day ISD/OCS Parent contact	1 day ISD/OCS Parent contact	5 day OCS Parent contact

In extreme or severe cases or when ongoing interventions by school officials have failed to correct inappropriate behavior, additional days of suspension and/or recommendation of expulsion may occur.

DEFINITIONS

Assault

Assault is specifically defined as an unlawful attempt, coupled with present ability, to commit a violent injury to someone.

Battery

Battery is defined as willful and unlawful use of force or violence upon another.

Community Service

Except when suspension or expulsion is required by law, the Superintendent, principal or principal's designee, at his/her discretion, may require a student to perform community service on school grounds during non-school hours instead of imposing other disciplinary action. Such service may include, but is not limited to, outdoor beautification, campus betterment, and teacher or peer assistance programs. (Education Code 48900.6)

Contract In Lieu of Expulsion

A Contract In Lieu of Expulsion is an alternative to recommending expulsion for certain circumstances. A student is placed on the Contract which is signed by the parent/guardian/caregiver, student, administrator, and district administrator, has certain conditions. Should the student violate a condition(s), the student will be recommended for an expulsion.

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49000, 49001)

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to district property. (Education Code 49001)

Detention After School

Students may be detained for up to one hour after the close of the maximum school day under the following conditions:

1. In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)
2. A student who is not transported by school bus shall be detained only after his/her parent/guardian has been notified of the day and amount of time involved.
3. The student shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

Expulsion

The maximum penalty for any disciplinary violation could be expulsion. A student who is fully expelled shall not attend any school or alternative instructional program within the Yuba City Unified School District for the duration of the expulsion. A student who is placed on a suspended expulsion may continue attending school or a school placement under the stated conditions. Any violation of the conditions immediately results in a full expulsion.

Fighting

A physical confrontation between two or more students.

Hazing

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, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of 48900(q), hazing does not include athletic events or school-sanction events.

In-school Detention

Students shall be given the opportunity to make up school work missed because of in school detention and shall receive full credit if the work is turned in according to a reasonable make-up schedule. (cf.5113 - Absences and Excuses)

Obscene

A detestable act, offensive to current accepted standards of morality, modesty, or decency.

Recess Restriction

Students in the District may be required to remain indoors during the recesses:

1. When exposure to the weather could be injurious to the health of the student.
2. For disciplinary purposes.

The teacher requiring any student to remain indoors during recesses for disciplinary reasons shall keep a record of the date, time, and reasons for the student being kept indoors during recess. The teacher shall report such information to the principal upon request. In no event may the restriction of recess time prohibit a student from obtaining a drink of water and/or going to the restroom.

Suspension

Suspension means removal of a pupil from ongoing instruction for adjustment purposes. Suspension also means that the student is not to be on or about any school campus nor attend or participate in any school-sponsored activities for the duration of the suspension.

Stipulated Suspended Expulsion Contract

A Stipulated Suspended Expulsion Contract is a Contract that is entered into between the parent/guardian, student, school administrator and district administrator. By signing the Contract, the student does not have to appear before a formal administrative panel hearing and is placed on a suspended expulsion. All parties involved agree to waive rights, which include the right to a hearing, timelines, and appeal and agree the incident did occur and the student will adhere to certain conditions. If the Stipulated Suspended Expulsion Contract is violated, the full expulsion comes into effect.

OPEN/CLOSED CAMPUS (BP 5112.5 Approved: June 26, 2007; Reviewed January 27, 2009)

In order to keep students in a supervised, safe, and orderly environment, the Governing Board establishes a closed campus at all K-5, K-8, 6-8 schools; Albert Powell High School and River Valley High School.

Students at schools that have established a closed campus shall not leave the school grounds at any time during the school day without written permission of their parents/guardians and school authorities. Students who leave school without authorization shall be classified truant and subject to disciplinary action.

Yuba City High School shall maintain an open campus. Students shall have the privilege of leaving campus for lunchtime only.

The privilege of open campus may be revoked from individual students for disciplinary reasons.

Students shall not leave the school grounds at any other time during the school day without written permission of their parents/guardians and school authorities. Students who leave school or who fail to return following lunch without authorization shall be classified truant and subject to disciplinary action.

Student handbooks shall fully explain all rules and disciplinary procedures involved in the maintenance of the closed campus.

OPEN/CLOSED CAMPUS (AR 5112.5 Revised: June 26, 2007; Reviewed January 27, 2009)

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians about the open campus policy as required by law. (Education Code 44808.5)

The district, Governing Board members and district employees shall not be liable for the conduct and safety of students who leave school grounds during the lunch period. (Education Code 44808.5)

The principal may revoke the open campus privilege to any or all students at any time. The principal shall submit a report to the Superintendent or designee indicating the nature and scope of the problem and a procedure for reviewing and resolving the problem. The Superintendent shall notify the Board of any campus closure.

OPEN CAMPUS (Education Code 44808.5)

The governing board of a school district may permit the pupils enrolled at any high school to leave the school grounds during the lunch period of such pupils.

Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section.

In the event that the governing board grants such permission, it shall send the following notice along with the notification of parents and guardians required by Section 48980:

"The governing board of the Yuba City Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at Yuba City High School to leave the school grounds during the lunch period.

"Section 44808.5 of the Education Code further states:

"Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section."

COMPLAINTS CONCERNING SCHOOL PERSONNEL (BP 1312 Reviewed: August 26, 2008)

Provisions of this policy are governed by the collective bargaining agreement with Yuba City Teachers Association (YCTA) and California School Employees Association (CSEA) Chapter #265.

The Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures. District procedures shall be readily accessible to the public.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the Superintendent or designee so that the problem may receive proper consideration

SEXUAL HARASSMENT (BP 5145.7 Revised: April 13, 2010)

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in district complaint processes.

Instruction/Information

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

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

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

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

administrative regulation.

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

Disciplinary Actions

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Confidentiality and Record-Keeping

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

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

SEXUAL HARASSMENT (AR 5145.7 Approved: April 13, 2010)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

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

Types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class
7. Massaging, grabbing, fondling, stroking or brushing the body

8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects

School-Level Complaint Process/Grievance Procedure

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. As soon as possible and within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, as soon as possible and within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent or designee.

2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

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

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

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

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

5. Interim Measures: The Coordinator/Principal shall determine whether interim measures are necessary during and

pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.

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

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

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

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

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

Enforcement of District Policy

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

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community
5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or districts comprehensive rules, regulations, procedures and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

Administrative Agencies

Students can obtain specific rules and procedures for reporting charges of sexual harassment to an administrative agency by contacting the following:

UNITED STATES DEPARTMENT OF EDUCATION

Office for Civil Rights - Region IX
 Old Federal Building
 50 United Nations Plaza, Room 239
 San Francisco, CA 94102
 (415) 556 - 4275

CALIFORNIA STATE DEPARTMENT OF EDUCATION

Office of Equal Opportunity
 1430 "N" Street
 Sacramento, CA 95814
 (916) 445-9714

UNIFORM COMPLAINT PROCEDURES - BP 1312.3 (Reviewed: August 26, 2008)

The Governing Board recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply

with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures. (5 CCR 4620)

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

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

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

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

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

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

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

UNIFORM COMPLAINT PROCEDURES - AR 1312.3 (Approved: August 26, 2008)

Compliance Officers

The Governing Board designates the following compliance officer to receive and investigate complaints and to ensure district compliance with law:

Assistant Superintendent of Human Resources
750 Palora Avenue
Yuba City, CA 95991
(530) 822-7630

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The Superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
 - a. The district is primarily responsible for compliance with state and federal laws and regulations
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline
 - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination
 - d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision
 - e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

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

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the district. (5 CCR 4630)

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. (5 CCR 4630)

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

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

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the

possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

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

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

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

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

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. (5 CCR 4631)

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

The district's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below, within 60 days of the district's receipt of the complaint. (5 CCR 4631)

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

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

Step 5: Final Written Decision

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

The district's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on the evidence gathered (5 CCR 4631)
2. The conclusion(s) of law (5 CCR 4631)

3. Disposition of the complaint (5 CCR 4631)
4. Rationale for such disposition (5 CCR 4631)
5. Corrective actions, if any are warranted (5 CCR 4631)
6. Notice of the complainant's right to appeal the district's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal (5 CCR 4631)
7. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies (Education Code 262.3)

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE within 15 days of receiving the district's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

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

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

The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district.

Civil Law Remedies

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

WILLIAMS UNIFORM COMPLAINT PROCEDURES - AR 1312.4 (Approved: August 26, 2008)

Types of Complaints

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

1. Textbooks and instructional materials

- a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A pupil does not have access to textbooks or instructional materials to use at home or after school.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

2. Teacher vacancy or misassignment

- a. A semester begins and a teacher vacancy exists.
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

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

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Facilities

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

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

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

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

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

4. High school exit examination intensive instruction and services

A pupil, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the pupil has passed both parts of the exam, whichever comes first. (Education Code 35186)

Filing of Complaint

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

A complaint alleging any deficiency specified in item #4 above shall be filed with a district official designated by the Superintendent. Such complaints may be filed at the district office or at a school site and shall be immediately forwarded to the Superintendent or designee. (Education Code 35186)

Investigation and Response

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

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

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

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

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687) All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

Reports

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

Forms and Notices

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

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

WILLIAMS UNIFORM COMPLAINT PROCEDURE - NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS: COMPLAINT RIGHTS - E-1312.4 (Adopted: August 26, 2008)

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. Pupils, including English learners, who have not passed one or both parts of the high school exit examination by the end of grade 12 are to be provided the opportunity to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12.
6. A complaint form can be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/cp/uc>.

RELEASE OF STUDENT DIRECTORY INFORMATION

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information may not be disclosed. (Education Code 49073)

Based on its determination of the best interest of the student, the district may limit or deny the release of specific directory information to any public or private nonprofit organization. (Education Code 49073)

Under no circumstances shall directory information be disclosed to a private profit-making entity other than employers, prospective employers, representatives of the news media, and vendors contracting with the district for graduation, promotion, pictures, yearbooks, etc. Private schools and colleges may be given the names and addresses of 12th grade students and students who are no longer enrolled provided they use this information only for purposes directly related to their institution's academic or professional goals. (Education Code 49073)

Other provisions of the law permit access to non-directory information in student records without parent consent to the following:

- School and District personnel with legitimate educational interests as defined in District policy
- Out-of-district schools to which student is transferring
- Specified federal and state educational administrators
- Appropriate persons concerned with the health and safety of students or others in cases of emergency
- School attendance review boards

As specified by law, a record is maintained in the file of all persons or agencies requesting or reviewing information from the student record.

All other requests for student information by individuals, agencies, or organizations will NOT be honored without a written statement, signed by the parent or guardian, authorizing its release. Parents, guardians or students over eighteen years of age may obtain copies of student records for a fee of ten cents (\$.10) per page.

Yuba City Unified School District is not responsible for what students or parents say to the media.

RELEASE OF DIRECTORY INFORMATION (BP 5125.1 Revised: January 27, 2009)

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board policy and administrative regulation.

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on his/her determination of the best interests of district students. (Education Code 49073)

Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number, unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC 7908; 10 USC 503; Education Code 49603)

Under no circumstances shall directory information be disclosed to a private profit-making entity, except for representatives of the news media and prospective employers, in accordance with Board policy. Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled provided that they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code 49073)

RELEASE OF DIRECTORY INFORMATION (AR 5125.1 Approved: April 13, 2010)

Definition

Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (34 CFR 99.3; Education Code 49061)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date and place of birth
6. Major field of study
7. Participation in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform

parents/guardians of their right to refuse to let the district designate any or all types of information as directory information and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (Education Code 49063, 49073; 34 CFR 99.37)

The Superintendent or designee shall notify parents/guardians that they may request that the district not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

Parent/Guardian Consent

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g; 20 USC 7908)

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)

NOTIFICATION OF MILITARY RECRUITER INFORMATION

The No Child Left Behind Act of 2001 requires that school districts disclose the names, addresses, and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If you do not wish this information to be provided to military recruiters, you are to notify your child's school of this fact in writing. The writing should be directed as follows: Yuba City High School, Attn: Principal, 850 B Street, Yuba City, CA 95991 if attending Yuba City High School; River Valley High School, Attn: Principal, 801 El Margarita Road, Yuba City, CA 95993 if attending River Valley High School; or Albert Powell High School, Attn: Principal, 1875 Clark Avenue, Yuba City, CA 95991 if attending Albert Powell High School or YCUSD Alternative School.

STUDENT RECORDS (BP 5125 Adopted: April 13, 2010)

(Also refer to AR 5125 for further information regarding student records)

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall ensure that the district's administrative regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law.

The Superintendent or designee shall establish regulations governing the identification, description and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect and copy student records and shall protect the student and the student's family from invasion of privacy.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents and students who are 18 or emancipated minors ("eligible students") certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and administration of certain physical exams. These include the right to:

- Consent before students are required to submit a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (DE)—
 1. Political affiliations or beliefs of the student or student's parents;
 2. Mental or psychological problems of the student or student's family;

3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of--
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
 - Inspect, upon request and before administration or use --
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the education curriculum.

Yuba City Unified School District will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Yuba City Unified School District will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. Yuba City Unified School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Yuba City Unified School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and will be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement.

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any unprotected information survey not funded in whole or in part by Department of Education.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C, 20202-4605

PPRA CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires Yuba City Unified School District to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas

("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family. relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required, by law, to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

Activities scheduled after the school year starts, Yuba City Unified School District will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out; as well as, an opportunity to review the surveys.

NOTIFICATION OF RIGHTS UNDER FERPA FOR ELEMENTARY AND SECONDARY SCHOOLS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal (or appropriate school official), clearly identify the part of the record they want changes, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERP authorizes disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.) Yuba City Unified School Districts discloses student records when specifically requested by the school in which the students enrolls.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA:

Family Police Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

INTERNET - STUDENT USE OF TECHNOLOGY (BP 6163.4 Adopted: April 13, 2010)

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

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

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

The Superintendent or designee shall provide age-appropriate instruction regarding the district's acceptable use agreement, including instruction on the safe use of social networking sites and other Internet services including, but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

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

The Board desires to protect students from access to inappropriate matter on the Internet. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

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

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

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision.

INTERNET - STUDENT USE OF TECHNOLOGY (AR 6163.4 Approved: April 13, 2010)

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

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

students.

Online/Internet Services: User Obligations and Responsibilities

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

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

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

4. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."
10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

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

Whenever a student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the

student's use of the district's technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

MANDATORY NOTIFICATION

ANNUAL, SPECIFIC CIRCUMSTANCES AND /OR SPECIFIC TIMES DURING THE STUDENT'S ACADEMIC CAREER AND NOTIFICATION TO LAW ENFORCEMENT PERSONNEL AND OTHERS

SUBJECT	LEGAL RESOURCE
Absence for justifiable personal reasons	EC § 48205, 48980 BP 5113, AR 5113
Absence for Religious Purposes – Refers parents to mandated district regulations regarding religious education release-time and limitations. Authorizes district to adopt resolution and regulations to allow pupil, with written consent of parent, to be excused from school in order to participate in religious exercises or to receive moral or religious instruction.	EC § 46014, 48980 BP 5113, AR 5113
Academic Failure – Requires governing boards to prescribe regulations requiring the evaluation of each pupil's achievement for each marking period. Requires written notice to or a conference with the parent when the student is in jeopardy of failing a class.	EC § 49067 AR 5121
Access to Internet and On-line Sites – Annual notification shall include a copy of the school district's written policy adopted pursuant to Ed Code 51870.5 regarding access by pupils to Internet and on-line sites.	EC § 48980(h) BP 6163.4, AR 6163.4
Access to Student Records, Types of Records, Where Kept, Persons Responsible, Location of Log, Criteria for Persons with Access, Cost of Copies – Requires school districts to notify parents, in writing, of their rights regarding pupil records upon enrollment in the school and annually thereafter. Notice to include access rules, types of records, where maintained, persons responsible, location of log, criteria for persons with access, cost of copies, challenge, review, and expunging regulations.	EC § 49063, 49068, 49069, 49076 and (FERPA) Family Education Rights and Privacy Act of 1974 20 USC 1232g; 34 CFR 99.7 BP 5125, AR 5125, AR5125.3
Administration of Prescribed Medication --Describes process by which school personnel may assist pupils in administering medication at school or by which pupils may self-administer auto-injectable epinephrine at school. Annual notification required under EC § 48980(a). (Amended by SB 1912, Ch. 846, Statutes of 2004).	EC § 49423, 49480 BP 5141.21, BP 5141.31, AR 5141.31 AR 5141.21
Advanced Placement Examination Fees – Requires annual notification to parent/guardian about the availability of state funds to cover costs of advanced placement examination fees pursuant to Ed Code 52244. State funding is available to all students to cover the costs of advanced placement exam fees.	EC § 48980(k), 52244
Alternative Schools – Requires notice of alternative programs to be sent with EC §48980 notices. Specifies content of notice and requires such notice to be posted in each school of district during the month of March.	EC § 58501 BP 6181
Anabolic Steroids Warning Statement Posting – Requires every contract for lease of athletic facilities to include a notice of the harmful effects of anabolic steroids. Further requires that such a notice be posted in every school locker room. Specified wording, size of type, and font.	Civil Code (CC) § 1812.97
Annual Notification Requirements – Specifies selected sections of the Education Code that require annual parent notification.	EC § 48980(a) BP 5145.6, E5145.6

SUBJECT	LEGAL RESOURCE
Asbestos Management Plan – Requires annual notification to parent, teacher, and employee organizations of the availability of complete, updated management plan for asbestos-containing material in school buildings.	Code of Federal Regulations, Title 40 (40 CFR) § 763.93 BP 3514, AR 3514
Assault or Threat by Pupil on School Employee; Duty to Report – Requires a report to law enforcement officials of attack, assault, or menace of any employee by a pupil. States that failure to report is an infraction. Provides sanctions against persons impeding such report.	Ed Code § 44014
Attendance of Suspended Child's Parent or Guardian for Part of School Day – Districts may adopt board policy authorizing teacher to require parent of pupil, suspended for violating EC § 48900(i) or (k), to attend portion of school day in classroom. Parents to be notified of policy prior to implementation. Note: If district adopts policy under EC § 35291, annual notification required under EC § 48980(a). Separate notification to parent required of principal under EC § 48900.1(c). (Amended by AB 2855, Ch. 895, Statutes of 2004).	EC § 48900.1, 35291, 48980
California High School Exit Exam (CAHSEE) - Requires annual notification to advise parents that, commencing with the 2005-06 school year, each pupil completing 12th grade will be required to successfully pass the high school exit exam, administered under EC §§ 60850 et seq., as a condition of graduation. Notification to include, at a minimum, date of examination, requirements for passing examination, and consequences of not passing examination. Prohibits district from administering exit examination to pupil who did not receive adequate notice of test. Adequate notice defined to mean pupil received written notice, at commencement of 9th grade, and each year thereafter under EC § 48980, or if transfer pupil, at time pupil transfers. Requires district to maintain documentation that parent received written notification. Further requires district to notify pupils prior to administration of examination that any pupil found to have cheated or compromised security of examination shall have test marked invalid. New Law (SB267) exempts students with disabilities from the requirement to pass the exam, through December 2007. Regulation was revised to reflect New Title 5 Regulations which allow adult students up to three opportunities to pass the exam per year and to take the exam in successive administrations.	EC § 48980(e), 60850 5CCR§1220 AR 6146.1, BP 6162.52, AR 6162.52
California High School Exit Exam (CAHSEE) – Intensive Instruction and Services, Notification - School Districts that receive intensive instruction funds under Education Code 37254 to ensure that all pupils who have not passed one or both parts of the CAHSEE by the end of grade 12 are notified in writing at the last known address before the end of each school term of the availability of intensive instruction services in sufficient time to register for or avail themselves of those services each term for two consecutive academic years. Students must also be notified in writing of their right to file a complaint pursuant to the district’s Uniform Complaint Process. This notice must be posted in each school and district office and on the internet website of the school district. This notice must comply with the translation requirements of EC 48985.	EC 37254
California High School Exit Exam (CAHSEE) – Intensive Instruction and Services, Posting in Classroom - School Districts that receive intensive instruction funds are to post notices in classrooms of all 10 th through 12 th graders, inclusive, regarding the right of pupils who have not passed the CAHSEE by the end of grade 12 to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until the pupil has passed both parts of the CAHSEE, which comes first.	AB 347, Chapter 526, Statutes of 2007 EC § 35816

SUBJECT	LEGAL RESOURCE
California High School Proficiency Exam – Requires principal of a school maintaining grades 11 and 12 to distribute an announcement explaining the California High School Proficiency Examination provided under EC 48412. Notification to be made in time sufficient to enable interested pupils to meet examination registration requirements for Fall test. The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: http://www.chspe.net	5CCR11523
Career Planning - 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.	EC § 221.5 BP 6164.2, AR 6164.2
Challenge, review and expunging of records-Following an inspection and review of a pupil's records, the parent or guardian of a pupil or former pupil of a school district may challenge the content of any pupil record.	EC § 49063, 49070 BP 5125, AR 5125, AR 5125.3
Chapter I/Title I Program Participation – When a child is selected to participate in a Chapter I/Title I program, the parent must be advised of his/her right to help design and implement the program. Notice of parent's right to be involved in policy making.	Code of Federal Regulations, Title 34 (34 CFR) § 200.34; Educ. Consolidation & Improvement Act of 1981. 20 USC 6319, 20 USC 6318 BP 6171, AR 6171
Child Abuse Complaint Process Information Guidelines – Requires the California Department of Education (CDE) to develop guidelines to be disseminated to parents and guardians, describing procedures a parent or guardian can follow in filing a complaint of child abuse against a school employee. Requires distribution to parents.	EC § 33308.1, EC § 48987 BP 1312.1, AR 1312.1
Child Abuse Prevention Program – notify parents prior to child participation in program. Staff of the Yuba City Unified School District is required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm the suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies.	EC § 51550; Welfare & Institutions Code 18976.5 PC 11164 et. Seq.
Child Health and Disabilities Prevention Program; Health Screening – Requires notice to parents of kindergarten and first grade children of the requirement for physical examination for first grade enrollment and availability of free health screening through their local health department. May require up to five day's exclusion from school for failure to comply or sign a waiver.	Health & Safety Code Sections 124100, 124105, 124085, 120475 AR 5112.2
Complaint Alleging Discrimination – Civil law remedies available to complainants.	EC § 262.3 AR 1312.3
Compulsory Education – A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.	EC § 48200

SUBJECT	LEGAL RESOURCE
Confidentiality of Records – Requires that the school district superintendent shall be notified within seven days by the court about any enrolled minor, Kindergarten to grade 12, who has committed a felony or misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, sex offenses listed in section 290 of the penal code, assault or battery, larceny, vandalism or graffiti, and further requires the superintendent to transmit information to the principal of the school attendance. The principal shall then disseminate information to counselors directly supervising or reporting on the behavior or progress of the minor.	Welfare and Institutions Code (WIC) § 827
Confidential Medical Service Absence – Requires district to notify pupils in grades 7 to 12, and their parents, that law permits school to excuse pupils for purpose of obtaining confidential medical services without consent of parent. Note: A California Attorney General Opinion issued November 2004, provides that a district may not adopt a policy under which the district will notify a parent when a student leaves school to obtain confidential medical services, nor may a district require a student obtain written parental consent prior to releasing student from school to receive confidential medical services.	EC § 46010.0, 46010.1 BP 5113
Continuing Medication Regimen – Administration of Prescribed Medicine – Requires district to inform parents of requirement to notify school staff when student requires daily medication including medication being taken, current dosage, and name of supervising physician.	EC § 49480
Continuous School Program – Requires district to publish, not later than November 1 st of preceding school year, its intention to operate a continuous school program. Further requires public hearing with adequate notice given to employees and parents affected.	EC § 37611, 37616 BP 6117
Courses Utilizing Animal Parts– Requires district to notify parents and pupils of the pupil’s rights to refrain from the harmful or destructive use of animals. Companion sections (EC § 32255 et seq.) further require pupil to notify his or her teacher regarding this objection, which must be confirmed by a note from the parent. Permits teacher, upon notification, to assist the pupil to develop and agree upon an alternative. Prohibits teachers from being arbitrary or capricious. Permits pupils to pursue grievance procedures in existing law.	EC § 32255 et. Seq.
Court Order for records – Requires reasonable effort to notify parent in advance of compliance with court order for records.	EC § 49077
Curriculum Course Prospectus- Requires each school to compile annually a prospectus of the curriculum including titles, descriptions and instructional aims of every course offered by the school. Prospectus to be reproduced and made available upon request. Annual notification recommended. Contact student’s school for a copy.	EC § 49063, 49091.14 AR 5125

SUBJECT	LEGAL RESOURCE
<p>Designation of Pupil as Limited English Proficient or Fluent English Proficient - Requires district to reassess pupil whose primary language is other than English when a parent, teacher or school administrator claims that there is reasonable doubt about the accuracy of the pupil's designation. Further requires parent to be notified of reassessment result, and that notice should be given orally when school staff have reason to believe a written notice will not be understood. Annual notification recommended.</p>	<p>EC § 52164.3</p>
<p>Directory Information – Requires districts to adopt policy identifying directory that may be released and who may receive such information.</p>	<p>EC § 49063, 49073 BP 5125.1, AR 5125.1</p>
<p>Disaster Preparedness Educational Materials – EC 32282.5 Requires the California Department of Education to electronically distribute disaster preparedness educational materials to school districts and county offices of education in, at least, the three most dominant primary languages spoken by English learners in California. Documents are posted on the CDE website at: http://www.cde.ca.gov/lr/ss/cp/pupilsafetyeducmat.asp.</p>	<p>EC § 32282.5</p>
<p>Disclosure of Immunization Status, Immunization Information Systems - Provides that, notwithstanding EC §§ 49075 and 49076 (relating to pupil records), schools may disclose information from pupils' medical record Requires a school district planning to provide information from pupils' medical records to an immunization system, to inform students or parents or guardians of the following. 1. Medical information may be shared with local health departments and the State Department of Health Services; 2. The name and address of the State Department of Health Services or of the immunization registry with which the school will share the information; 3. Information shared with local health departments and the State Department of Health Services will be treated as confidential and will only be used to share with each other, and, upon request, with health care providers, schools, child care facilities, family child care homes, WIC service providers, county welfare departments, foster care agencies, and health care plans; 4. The providers, agencies, and institutions will, in turn, treat the shared information as confidential, and shall use it only as specified; 5. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; 6. The student or the parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both; 7. After refusal, a physician may maintain access to this information for the purposes of patient care or protecting the public health. After refusal, the local health department and the State Department of Health Services may maintain access to this information for the purpose of protecting the public health.</p> <p>Note: Students or parents or guardians may refuse to permit record sharing. Notification may be provided by ordinary mail and must include reasonable means for refusal, such as return form or contact telephone number.</p>	<p>HSC: 120440</p>

SUBJECT	LEGAL RESOURCE
<p>Disclosure of Student Information for Marketing Purposes</p> <p>Requires notification to parents of pupils, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when an activity involving the collection, disclosure, or use of personal information collected from pupils for the purpose of marketing or selling that information is scheduled or expected to be scheduled. Parents have the opportunity to opt pupils out of participation in the activity.</p> <p>The school district is to develop policy, in consultation with parents, regarding the collection, disclosure, or use of personal information collected from pupils for the purpose of marketing or selling that information. Parents of pupils enrolled in schools served by the district are to be notified of the adoption or continued use of such policies.</p>	<p>20 USC 1232h</p>
<p>Discrimination – Requires implementation of specific and continuing steps to notify students and parents that the school district does not discriminate on the basis of race, color, national origin, sex, age, sexual orientation, ethnic group identification, ancestry, gender, religion, mental or physical disability or handicap. Requires notification in native language if service area contains a community of minority persons with limited English language skills. Notification must state the district will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs.</p>	<p>Code: Section 504, Rehabilitation Act of 1973; Title VI Civil Rights Act of 1964; Title IX Education Amendments of 1972; CFR 106.9</p>
<p>Disruptive Presence at Schools – Specifies authority of administration to direct persons to leave campus whose presence interferes with school activities, unless such person is a parent of a child attending that school, is a student of the school, or has prior written permission of school administration. 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).</p>	<p>PC § 626.8 EC § 32210</p>
<p>District and Site Discipline Rules – School sites may adopt rules and procedures on school discipline. Each school district may prescribe procedures to provide written notice to pupils and parents regarding school discipline rules and procedures. The school discipline rules and procedures shall be consistent with any applicable policies adopted by the Governing Board. The site discipline rules are to be developed through school committees with specific membership and filed with the governing board. Requires the governing board to prescribe rules for the government and discipline of schools under its jurisdiction. The district may notify parents of the availability of rules of the district pertaining to discipline.</p>	<p>EC § 35291, 35291.5, BP 5131,5144,5144.1 AR 5144, 5144.1</p>
<p>Dress Code and School Uniforms, Gang-Related Apparel, Sun-protective clothing– authorizes school districts to adopt a dress code that would prohibit the wearing of “gang-related clothing.” Further authorizes school districts to adopt a dress code policy that would require pupils to wear a school-wide uniform. Notification pursuant Ed Code 35291.5 is required if district policy is adopted. Sun-protective Clothing - EC § 35183.5 requires school sites to allow for outdoor use during school day articles of sun-protective clothing. Further provides for the use of sunscreen by students, during school day, without physician’s note or prescription. Authorizes sites to set policy regarding type of clothing to be allowed.</p>	<p>EC § 35183, 35183.5 AR 5132</p>
<p>Driver Training – Districts maintaining courses in Driver’s Training shall advise parents of potential civil liability and mandated insurance coverage.</p>	<p>EC § 35211</p>

SUBJECT	LEGAL RESOURCE
Duty Concerning Conduct of Pupil – Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. Requires pupils to conform to school regulations; obey all directions be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language.	EC § 44807 California Code of Regulations Title 5 (5CCR) § 300
Electronic Signaling Device; Possession or Use -- Authorizes district to regulate the possession or use of any electronic signaling device, including cell phones and pagers. Annual notification, under standards of conduct, recommended.	EC § 48901.5
Employment based attendance options - Authorizes district to deem pupil as having complied with residency requirements for school attendance if one or both parents or legal guardians is employed within boundaries of the district. Pupil transfers may occur in grades kindergarten through 12. Annual notification required under EC § 48980(i).	EC § 48204(b) AR 5111.1
English Language Development Test; Report to Parents - Requires district, for each pupil assessed using California English Language Development Test, to notify parents of the results within 30 calendar days following receipt of results. Notice to comply with requirements of EC § 48985.	5 CCR § 11511.5 AR 6174
English Language Education; Parental Waiver; Placement – Requires district to inform parents of placement of child in structured English immersion program and of opportunity to apply for waiver. Requires district to establish procedures for granting waiver, as specified. For districts receiving Title I funds, no later than 30 days after beginning of school year, district needs to notify parents of English Language Learners the reasons for placement, level of proficiency, instructional methods, how program meets child’s strengths and teaches English, exit requirements, and right to choose another program.	EC § 310, 311; 5 CCR § 11309 20 USC 6312 BP 6174, AR 6174
Exclusion; Habits and Disease – Stipulates prior notice requirement (including content) to parents when governing board is considering exclusion of pupil for filthy or vicious habits (Ed Code 48211). Further requires notice pursuant to this section be sent by governing board, as soon as reasonably possible, for pupils administratively excluded for contagious, infectious, or communicable disease.	EC § 48213 AR 5112.2
Excused Absences – Annual notice to parents must include the complete text of Ed Code 48205. -Enumerates reasons for which pupil absence shall be excused, including justifiable personal reasons pursuant to uniform standards established by the governing board.- Provides that pupil with excused absence, as specified, shall receive full credit for all assignments and tests missed, that can be reasonably provided and completed.	EC § 48205 BP: 5113, AR 5113
Expulsion – admission – When a student is expelled from another district for certain acts seeks admission - a hearing regarding possible danger presented by expelled student.	EC § 48915.1, 48918 BP 5119 & AR 5119
Expulsion Appeal Written Request for Transcript – County Board Rules on Appeal shall include a notice to appellant that a request to the district for a copy of a written transcript of the local hearing and supporting documents shall be in writing.	EC § 48919

SUBJECT	LEGAL RESOURCE
Expulsion occurs – When expulsion or suspended expulsion occurs; decision to expel; right to appeal to county board; obligation to inform new district of status. Notice of expulsion hearing is to be given to parent/guardian 10 calendar days prior to the hearing.	EC § 48918 AR 5144.1
Expulsion orders; Readmission – Requires that a description of the readmission process from expulsion be made available to the pupil and parent at the time of expulsion. If the governing board denies readmission following a review, the board shall notify the pupil’s parents, in writing, of the reasons for denial. Further, the notification shall include the educational program to which the pupil is to be assigned.	EC § 48916 AR 5144.1
Expulsion Rules; Procedures; Hearings; Notice – Delineates rules governing due process procedures for expulsion. Requires written notice of the hearing (including pupil rights) to be forwarded to the pupil at least ten (10) calendar days prior to the hearing. Pupil or parent(s) are allowed to be represented by a non-attorney advisor. Requires notice to include pupil and parent obligation to notify any new district of enrollment of the pupil’s status in the expulsion process. Also requires written results of the hearing to be sent to parent or guardian by superintendent or designee. Further requires inclusion of a notice of parent’s/guardian’s obligation, at the time of enrollment, to inform any new district of the pupil’s expulsion. Governing boards have the authority to issue subpoenas. This now requires that subpoenaed witnesses be informed regarding their receipt of applicable fees. Additionally, the notice of decision to expel shall include a notice of the educational alternative placement to be provided to the pupil during the time of expulsion.	EC § 48918 AR 5144.1
Fingerprinting – Districts that elect to provide a fingerprinting program pursuant to Ed Code 32390 shall inform parents of the program as specified.	EC § 48980(f)
Fingerprinting Program; Kindergarten or New Enrollees – Authorizes district to offer fingerprinting program for children enrolled in Kindergarten or newly enrolled. Requires district to inform parents, in writing, of fingerprinting program, if adopted by district, and rights of participation.	EC § 32390
Firearms: School – Prohibits any person except peace officers from bringing firearms on campus without prior written permission of administration.	PC § 626.9
Foster Pupils – Requires district’s educational liaison to ensure pupils in foster care receive stable school placements which are in the best interests of the child, placement in least restrictive educational programs, access to academic resources, services, and extracurricular and enrichment activities available to all pupils, full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards.	EC § 48850 et seq.
Free and Reduced Price Meals – Requires districts to inform parents of provisions for nutritionally adequate, free, or reduced priced meals as prescribed by EC §49510(e) et seq.	EC § 49510-49520 BP3553, AR 3553
Gifted and Talented Education Program (GATE) – District policy must include a procedure for notification of a pupil’s parent of participation or non-participation in the GATE program. The plan is to include rationale for the district’s method of identification of gifted and talented pupils, procedures for ensuring parent participation in recommending policy for planning, evaluating and implementing GATE program, and procedure to inform parents of a pupil’s participation or non participation. Also requires written plan be available for public inspection.	California Code of Regulations, Title 5 (5 CCR) § 3831 BP 6172, AR 6172

SUBJECT	LEGAL RESOURCE
Grade Reduction & Loss of Academic Credit – Districts shall annually notify parent(s) that no student shall have his/her grade reduced or lose academic credit for any absence(s) excused pursuant to §48205; for missed assignments/tests that can be reasonably provided/completed. The full text of §48205 shall be included with notification.	EC § 48205, 48980(j) BP 6154
Handicapped Pupils – Requires notice of nondiscrimination on basis of sex, handicap, race, color, national origin, or lack of English skills. Notice must include availability of reasonable accommodation for handicapped pupils. Requires districts to annually notify handicapped pupils and their parents of district's duty under § 504. Further requires district to establish procedural safeguards to include notice of opportunity for parent of pupil to examine relevant records, to participate in an impartial hearing including opportunity for representation by counsel, and a review procedure.	Rehabilitation Act of 1973, § 504
Hazing – No student or other person in attendance, at any public or private educational institution shall conspire to engage in hazing. Violation of § 32501 is a misdemeanor.	EC § 32051; 48900(q)
Health Education, Family Life, and Sex Education: Excuse from Instruction, Conflict with Religious Beliefs – Districts are required to inform parents that they must be notified in writing prior to any instruction or class in which human reproductive organs and their functions or processes are described, illustrated, or discussed.	EC § 51240, 48980 BP 6141.2, AR 6141.2, BP 6142.1, AR 6142.1, BP 6142.8
Health Screening – State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available through the local health department.	AR 5112.2 HSC 124085, 124100, 124105, 120475
Hearing Regarding Person Denied Permission to Register as a Visitor – This law specifies the content of a written request for a hearing from a person denied registration and entrance to a school. It requires the principal or superintendent to promptly mail a written notice of the date, time, and place of the hearing. Timelines are specified.	PC § 627.5 AR 3515.2
HIV/ AIDS Prevention & Sexual Health Instruction – Requires notification before instruction in sexual health education, HIV/ AIDS prevention, or assessments related to that education. Notification to include availability of written and audio/visual materials for inspection, right to request copy of EC §§ 51930 et seq., whether instruction by district staff or outside consultants, and that parents may, in writing, request exemption from such instruction. If a school elects to provide comprehensive sexual health education or HIV/ AIDS prevention education by outside consultants or guest speakers, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of parent to request a copy of EC §§ 51933, 51934 and 51938. If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before instruction is delivered. (Amended by AB 1925, Ch. 323, Statutes of 2004).	EC § 51938 BP 6142.1, AR 6142.1, BP 6142.2, AR 6142.2

SUBJECT	LEGAL RESOURCE
Home/Hospital: Availability of home/hospital instruction for students with temporary disabilities. Requires district to notify parents of the availability of individualized instruction for pupils with temporary disabilities that are not covered under special education provisions.	EC § 48206.3, 48207, 48208, 48980 BP 6183
Homeless Pupils - Requires district's liaison for homeless pupils to ensure that parents are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children, notice of the educational rights of homeless children is disseminated at places where children receive services, such as schools, shelters, and soup kitchens, and that parents are fully informed of all transportation services.	42 USC § 11432
Hospital Residency_-Presence of Pupil with Temporary Disability in Hospital; Notice by Parent - Requires district to inform parent of responsibility to notify district where hospital located of presence of pupil with temporary disability. Requires district to act, as specified, upon notification, defines pupils hospitalized with a temporary disability, as residents of the district in which the hospital is located.	EC § 48207, 48208
IEP/Manifest Determination Notification: Expulsion Request for Special Education Pupil – Requires 48 hours prior notification of IEP meeting; or that the meeting will be held without parent participation unless parent requests a postponement of up to three days. Stipulates parent must receive written notice of intent to conduct a pre-expulsion assessment and requires parent to make pupil available without delay.	EC § 48915.5 34 CFR 300.505 AR 5144.2
Imitation Firearms - Adds § 12550 to include BB device within definition of imitation firearm. Adds § 12556 to make it a criminal offense to openly display or expose any imitation firearm in a public place. Changes effective September 20, 2004. (Added by SB 1858, Ch. 607, Statutes of 2004). Annual notification, under standards of conduct, recommended	Penal Code: 12550, 12556
Immunization Information – When sharing the student immunization information with an immunization system, notify the name and address of the agency; acceptable use of the information; right to examine; and right to share.	Health & Safety Code 120440 AR 5125
Immunization Requirements; Exclusion of Pupils – Requires districts to exclude pupils from attendance when immunization requirements are not met & to refer parents or guardians to the usual sources of medical services to obtain such immunizations. Requires notification of such requirements as established by the Health Department for compliance. Also notifies parents/guardians of immunization requirements upon admission to school.	EC § 48216, 49403; Health & Safety Code 120365, 120370, 120375 BP 5141.31, AR 5141.31
Immunizations for Communicable Diseases – Permits, with parental consent in writing, districts to administer immunizing agents to pupils to prevent or control communicable diseases.	EC § 49403
Individualized Instruction – Availability – Requires annual notification to advise parents of the availability of individualized instruction as prescribed by § 48206.3. Requires that parents be advised of the availability of individualized instruction as prescribed by Sections 48206.3 et. Seq. Section 48206.3 reads 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. Contact 530.822-7655 for information.	EC § 48206.3, 48980 (B)

SUBJECT	LEGAL RESOURCE
Informational Hearings on Educational Program - Encourages districts to hold informational hearings on current educational programs district is offering to allow parents input on methods to improve current program and to make informed educational decisions. Annual notification recommended	EC § 48302
Inhaled Asthma Medication - Describes process by which school personnel may assist pupils or by which pupils may self-administer inhaled asthma medication at school. (Added by AB 2132, Ch. 832, Statutes of 2004).	EC § 49423.1
Injurious Object Taken from Student – The parent or guardian of a pupil from whom an injurious object has been taken may be notified by school of the taking.	EC § 49332
In-school suspension – Requires at the time a pupil is assigned to supervised suspension, a school employee shall notify, in person or by telephone, the pupil’s parents or guardians. If the pupil is assigned to supervised suspension for longer than one class period, a school employee shall notify the parent or guardian in writing.	EC § 48911.1(d)
Instruction on Sexually Transmitted Diseases, AIDS, Human Sexuality or Family Life; Kindergarten, Grades 1-6, inclusive – Requires written notification to parents regarding instruction on human sexuality, AIDS, etc. including the right to request copies of §51201.5 and 51553, related to AIDS prevention instruction. Applies to kindergarten and grades 1-6 inclusive. Explanation of the instruction; right to request specific EC Sections.	EC § 51555; 51201.5 BP 6142.1, AR 6142.1 BP 6142.1, AR 6142.1
Insurance – Availability of insurance. The District does not insure students for injury sustained while at school. The District provides a voluntary student insurance applications.	EC § 49472, 48980 BP 5143, AR 5143
Insurance – Interscholastic Athletic Teams - If students wish to participate in athletics (grades 7-12), they must show evidence of medical insurance, as well as having had a physical exam within the last twelve months. Districts that operate interscholastic athletic teams must include a statement regarding no-or low-cost health insurance programs in offers of insurance coverage that are sent to athletic team members. 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 1-800-880-5305 for Healthy Families Program.	EC § 32221.5 BP 5143, AR 5143
Interdistrict Attendance – Authorizes two or more districts to enter into agreement for the interdistrict transfer of one or more students for a period of up to five years. Requires notification to applicant of right of appeal to county board when interdistrict permit is denied.	EC § 46600, 46601 BP 5117
Interdistrict Choice: Notice of Acceptance or Rejection – Allows, but does not require, school districts to adopt a resolution establish interdistrict choice. Participating districts may provide written notice of acceptance or rejection.	EC § 48209.9
Intradistrict Choice Policy – Requires district to adopt rules and regulations establishing a policy of open enrollment within the district for residents of the district.	EC § 35160.5(b)
Investing for Future Education – Annual notice may advise parents of the importance of investing for future college or university education for their children and consider appropriate investment options including, but not limited to, United States savings bonds.	EC § 48980(d)

SUBJECT	LEGAL RESOURCE
Involuntary transfer: Continuation Education – Requires governing boards to adopt rules and regulations for the involuntary transfer of pupils to continuation schools. Requires written notice to be given to the pupil and pupil’s parents informing them of the opportunity to request a meeting with the designee of the superintendent prior to transfer. Further requires decision to transfer be in writing and sent to pupil and parent.	EC § 48432.5 AR 6184
Juvenile Court and Probation Officer – Notices of Behavior Violations – Mandates report to probation officer within ten days of specified school attendance and behavior violation by pupil declared to be a ward of the court pursuant to Welfare & Institutions Code (WIC) § 602 and ordered to attend school.	EC § 48267
Kindergarten Admission; When 5 years old – Requires applicant parent to be informed of effects, advantages and disadvantages of early kindergarten entry.	EC § 48000 BP 5111
Laser Pointers: Prohibitions on Sales, Possession and Use – Prohibits possession of a laser pointer by any student on any elementary or secondary school premise, unless possession is for valid instructional or other school-related purpose. Further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.	Penal Code: 417.27
Lead Poisoning Notification-within 45 days after a school is determined to have significant risk factors for lead, notification is to be made per Childhood Lead Poisoning Prevention Act.	EC § 32243
Licensed Child Care or Development Program – notify the parent right to enter the facility. Policies regarding unexcused absences. Parents have the right to know the policies regarding attendance records.	Health & Safety 1596.857 5 CCR 18066 BP 5148, AR 5148
Materials Querying Personal Beliefs – Prohibits using tests that question pupils’ personal beliefs unless the parent or guardian is notified in writing that the test will administered, and gives their written permission.	EC § 51513, 20 USC § 132h
Medical and Hospital Services for Pupils – Authorizes district to provide medical or hospital service through non-profit membership corporations or insurance policies for pupil injuries arising out of school-related activities.	EC § 49472
Medical and Hospital Services Not Provided – If governing board of a district that maintains junior high schools or high schools does not provide or make available medical and hospital services for pupils of the district injured while participating in athletic activities, the board must notify parents of such pupils that the services are not provided. Yuba City Unified 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.	EC § 49471

SUBJECT	LEGAL RESOURCE
<p>Megan's Law Sex Offender Notification --Penal Code § 290.4 requires Department of Justice to operate service where members of public may provide list of six persons on approved form and inquire whether any of their persons is required to register as sex offender and is subject to public notification. Under § 290.46, the Department shall also make information about certain sex offenders available to public via Internet. Information about registered sex offenders in California can be found on the California Department of Justice's Internet 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.</p>	<p>Penal Code (PC) §§ 290 et seq.</p>
<p>Migrant Education Program - Requires district receiving migrant education funds or services to actively solicit parental involvement in planning, operation, and evaluation of its programs through establishment of parent advisory council. Requires notice to parents, in language they understand, that parents have sole authority to decide composition of council.</p>	<p>EC § 54444.2 BP 6175, AR 6175</p>
<p>Minimum Days - Schedule of minimum days. Requires annual notification to advise parents of the schedule of minimum days and pupil-free staff development days. If scheduled thereafter, district shall notify parents of affected pupils as early as possible but no later than one month prior.</p>	<p>EC § 48980, 48980(c) BP 6111</p>
<p>No Child Left Behind Act/Parental Notification - Requires districts that receive Title I funds to notify parents of children in schools that fail to meet requirements as specified in the Act. Program Improvement-Parent/Guardian shall be notified when their children's school is identified as "program improvement" and the opportunities for school choice and/or supplemental instruction; Teacher Qualifications-Parent/Guardian shall be notified that they may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s); Homeless Children-Each local education agency liaison for homeless children shall ensure the dissemination of public notice of the educational rights of students in homeless situations; Military Recruiters: Release of Directory Information-Parent/Guardian shall be notified of requirement to release specified directory information on students to military recruiters. Notifications to include an "opt out provision related to the release of a student's name, address and telephone number; and, Persistently Dangerous schools-Parents/Guardians shall be notified of elementary and/or secondary schools considered to be persistently dangerous" pursuant to California Department of Education guidelines and of available options.</p>	<p>Title 1: Reauthorization of Elementary Secondary Education Act, HR1, No Child Left Behind Act of 2001 AR 5125.1</p>

SUBJECT	LEGAL RESOURCE
<p>Nondiscrimination – Nondiscrimination on basis of sex, disability, ethnicity or lack of English Skills. State and federal law prohibit discrimination in education programs and activities. State law, EC §§ 200 <i>et seq.</i> requires districts to afford all pupils regardless of gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, mental or physical disability, sexual orientation or the perception of one or more of such characteristics equal rights and opportunities in education. Title VI of the Civil Rights Act of 1964 prohibits discrimination on basis of race, color and national origin. Title IX, Educational Amendment Act of 1972, prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 prohibit discrimination on the basis of disability. The California Department of Education may investigate complaints regarding discrimination through the Uniform Complaint Procedure. The Office for Civil Rights has authority to enforce federal laws in all programs and activities that receive federal funds.</p>	<p>EC § 200 <i>et seq.</i>, 5 CCR §§ 4900 <i>et seq.</i> 20 USC 1681-1688, 42 USC 2000d-2000d-7, 34 CFR 106.9 BP 0410, AR 6178</p>
<p>Non-students: Direction to Leave; Re-entry – Specifies authority of administration to direct non-students to leave campus. Must notify person that if he returns within seven days, he will be guilty of a crime.</p>	<p>Penal Code (PC) § 626.6</p>
<p>Notice of Proficiency Examination – Requires distribution of an announcement explaining the California High School Proficiency exam (CHSPE). Notice must be given to students in 11th and 12th grades, early enough to enable interested pupils to meet all examination registration requirements for fall test of that year.</p>	<p>5 CCR §11523 AR 6146.2</p>
<p>Notification to Law Enforcement: Assault with a deadly weapon, Controlled Substance Violation– Requires principal or designee to report to appropriate law enforcement, prior to suspension or expulsion of pupil, violations of Penal Code §§245,0626.9, or 626.10 within one school day of suspension or expulsion for violations of EC §48900(c) or (d). Meets reporting requirements of the Gun-Free Schools Act of 1994.</p>	<p>EC § 48902</p>
<p>Open Campus Lunch Period – Permits high schools to have open campus if procedures are followed. Notice specified by section must be sent with Ed Code 48980. Also lists waiver of liability. If district permits high school pupils to leave school grounds during lunch, requires district to notify parents and inform of non-liability.</p>	<p>EC § 44808.5 BP 5112.5</p>
<p>Opportunity Program - Notice of intended adjustment transfer to opportunity program – Pupil and pupil’s parent or guardian must be notified in writing prior to transfer to opportunity program. Notice must be in parent’s primary language and must request response within 10 days.</p>	<p>EC § 48637.1</p>
<p>Parental Involvement; Rights of Parents and Guardians to Information – Provides that parents/guardians have the right and should have the opportunity to be informed by the school of the following: (1) when child is absent from school; (2) of their child’s progress, about school rules, including disciplinary rules and procedures along with attendance, retention and promotion policies pursuant to §48070.5, dress codes, and procedures for visiting the school. In addition, it is the intent that parents be notified as early in the year as practicable, pursuant to § 48070.5 if their child is identified as being at risk of retention and of their right to consult with school personnel regarding any decision to promote or retain and to appeal a decision to promote or retain.</p>	<p>EC § 48070.5; 51100, 51101 BP 5123, AR 5123</p>

SUBJECT	LEGAL RESOURCE
<p>Persistently Dangerous School, Victim of Violent Criminal Offense, Option to Transfer – NCLB requires a district that has a school identified as persistently dangerous to notify parents of each pupil attending school of the identification and offer pupils option to transfer to a safe school within the district. Notification regarding status of school and offer to transfer may be made simultaneously. Notification to be timely, e.g., within ten school days from date district learns school has been identified as persistently dangerous. Under 5 CCR § 11992, persistently dangerous defined as specified sum of firearm violations by non-pupils on school grounds or during or during school-sponsored activities plus expulsions for certain violations of EC § 48915(a) and (c) and § 48900.3 over the course of three school years. Option to transfer to safe school within district must also be made to pupils who become victim of violent criminal offense at school pupil attends. Offer to transfer should occur within 14 calendar days.</p>	<p>20 USC § 7912</p>
<p>Pesticide Use Notification; Active Ingredients; Internet Address to Access Information - Requires district to annually notify staff and parents of all pesticide products expected to be applied at a school during the year. Notice to identify active ingredient(s) in each product, an internet address on pesticide use and reduction developed under § 13184 of the Food and Agricultural Code, and provide opportunity for parent to register with district to receive notification of individual pesticide applications, as specified. Further requires posting of warning signs prior to and after pesticide application and separate notification for pesticide applications not included in annual notification, as specified.</p>	<p>EC § 17612 AR 3514.2</p>
<p>Physical Examination – Refusal to consent to physical examination. Authorizes parent to annually file written statement requesting exemption from physical examination. Further authorizes district to exclude child if there is good reason to believe child suffering from recognized contagious or infectious disease.</p>	<p>EC § 49451 BP 5141.3, AR 5141.3</p>
<p>Physical Performance Test - Requires governing board of school district to report aggregate results of its physical performance testing for grades 5, 7, and 9 in annual school accountability report card.</p>	<p>EC § 60800, 5 CCR § 863</p>
<p>Primary Child Abuse Prevention Program – Requires notice of mandated child abuse prevention programs and parental right to refuse to have his/her children participate.</p>	<p>Welfare & Institutions Code (WIC) § 18976.5; 51550</p>
<p>Promotion/Retention of Pupils; Creation of Policy; Parent Notification – Provides for the development of a board policy regarding the promotion and retention of pupils as specified. Further provides for parent notification when a pupil is identified as being at risk of retention. Notice shall be provided as early in the school year as practicable.</p>	<p>EC § 48070.5 (e) and 51101(a)(16) BP 5123, AR 5123</p>

SUBJECT	LEGAL RESOURCE
<p>Pupil Records – Notification of Rights - Requires district to notify parents in writing of their rights concerning pupil records. Notice to include types of pupil records maintained, location of pupil records if not centrally located, official responsible for maintenance of records, location of access log, criteria for defining persons with access under EC §§ 49064 and 49076, policies for reviewing and expunging records, the right of parent to access pupil records, procedures for challenging content of records, cost for copies of records, designated categories of directory information under EC § 49073, right to file complaint for alleged failure to comply with FERPA, and availability of prospectus prepared under EC § 49091.14. Notice to be, if practicable, in home language of pupil. Notification required upon initial enrollment and thereafter at same time as notice issued under EC § 48980.</p>	<p>EC § 49063, 49069, 20 USC § 1232g, 34 CFR § 99.7 BP 5125, AR 5125</p>
<p>Pupil Records; Transfer – Requires district requesting transfer of records for incoming pupil to notify parent of right to receive copy of pupil’s record and to challenge its content. Allows district sending records, when pupil transfers out of state, to notify parent/guard of his/her rights.</p>	<p>EC § 49068 5 CCR § 438</p>
<p>Qualifications of Teachers, Parents’ Right to Know - Requires district, at beginning of school year, to notify parents of each student attending school receiving Title I funds that they may request information regarding professional qualifications of their child's classroom teachers. Further requires timely notification when child has been assigned, or has been taught for four or more consecutive weeks, by a teacher of a core academic subject who does not meet NCLB teacher qualification requirements. Notification to be in an understandable and uniform format, and to extent practicable, provided in a language that the parents can understand.</p>	<p>20 USC § 6311, 34 CFR § 200.61 BP 4112.24, AR 4112.24 AR 4222</p>
<p>Reciprocal Withholding of Grades, etc. – Requires school district to which a pupil, subject to Ed Code 48904, has transferred, to also withhold grades, diplomas, or transcripts upon receiving notice from the former district. Requires receiving district to notify the parents in writing of the decision to withhold as specified.</p>	<p>EC § 48904.3 AR 5125.2</p>
<p>Records of Expulsion and Suspension – Specifies for purposes of notification to parents and required reporting to the California Department of Education, that all offenses set forth in Ed Code 48900 (a-o) shall be properly identified in all appropriate records of a pupil.</p>	<p>EC § 48900.8</p>
<p>Release of Information Pursuant to Court Order – Requires information concerning a pupil to be furnished in compliance with a court order. Requires that a reasonable effort to be made to notify the parent and the pupil in advance.</p>	<p>EC § 49077 AR 5125</p>

SUBJECT	LEGAL RESOURCE
Release of Pupil Directory Information - Requires notice on annual basis of the categories of directory information that the school plans to release and of the persons or agencies who may receive such information. Authorizes parents to preclude release by notifying district. Note: Under the NCLB, each district receiving assistance under NCLB shall provide military recruiters the same access to secondary school pupils as is provided generally to post secondary educational institutions or to prospective employers. A pupil or parent may request that the pupil's name, address, and telephone listing not be released without prior written parental consent, and the district shall notify parents of the option to make a request and shall comply with any request.	EC § 49073, 20 USC § 7908 BP 5125.1, AR 5125.1
Release of Pupil to Peace Officer - When a principal or other school official releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. In those cases, the school official shall provide the peace officer with the address and telephone number of the minor's parent or guardian. The peace officer shall take immediate steps to notify the parent, guardian, or responsible relative of the minor that the minor is in custody and the place where he or she is being held. If the officer has a reasonable belief that the minor would be endangered by a disclosure of the place where the minor is being held, or that the disclosure would cause the custody of the minor to be disturbed, the officer may refuse to disclose the place where the minor is being held for a period not to exceed 24 hours. The officer shall, however, inform the parent, guardian, or responsible relative whether the child requires and is receiving medical or other treatment. The juvenile court shall review any decision not to disclose the place where the minor is being held at a subsequent detention hearing.	EC § 48906 BP 5145.11, AR 5145.11
Release of Student Record Information - Should notify within 24 hours of release of student information to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition.	EC § 49076 AR 5125
Report of Missing Children - It is the intent of the legislature that specified persons, including school teachers, administrators, aides, playground workers and bus drivers, be required to report missing children to a law enforcement agency in a timely manner.	EC § 49370
Reporting to Teacher of Pupil Whose Actions are Grounds for Suspension or Expulsion- Mandates notification to teachers regarding classroom pupils who have committed violations pursuant to Ed Code 48900 (except 48900(h), tobacco) or 48900.2, 48900.3, 48900.4 or 48900.7. District is to provide information based on records it maintains or receives from law enforcement.	EC § 49079

SUBJECT	LEGAL RESOURCE
<p>Rights of Parents and Guardians to Information, Mutually Supportive Partnership Between Parents and Educators - Provides parents and guardians have the right to be informed by the school, and to participate in the education of their children, as follows: to observe classrooms as specified; within a reasonable time of their request to meet with teachers and the principal of the school; to volunteer their time and resources; to be notified on a timely basis if their child is absent from school without permission; to receive the results of their child's performance and the performance of the school on standardized tests; to request a particular school for their child and to receive a response from the district; to have a school environment for their child that is safe and supportive; to examine the curriculum materials of their child's classes; to be informed of their child's progress in school and of the appropriate staff to contact should a problem arise; to access the school records of their child; to receive information about the academic performance standards, proficiencies, or skills their child is expected to accomplish; to be informed in advance about school rules, including disciplinary rules and procedures in accordance with Section 48980, attendance policies, dress codes, and procedures for visiting the school; to receive information about any psychological testing and to deny permission to test; to participate as a member of a parent advisory committee, school-site council, or site-based leadership team; to challenge anything in their child's record and to receive a response from the school; and to be notified as early in the year as practicable if their child is identified as being at risk of retention and their right to consult with school personnel regarding any decision to promote or retain and to appeal a decision to promote or retain.</p>	<p>EC § 51101 BP 5125, AR 5125, AR 5125.3 BP 5123, AR 5123</p>
<p>Rights of Parents/Guardians Who Lack English Fluency - Requires district to take all reasonable steps to ensure that all parents and guardians of pupils who speak a language other than English, are properly notified in English and in their home language under EC § 48985 (15 percent rule), of the rights and opportunities available to them. Rights include being given any required written notification, under any applicable law, in English and the pupil's home language under EC § 48985. Encourages schools with substantial number of pupils with a home language other than English to establish parent centers with staff that can communicate with the parents or guardians. (Amended by AB 2525, Ch. 896, Statutes of 2004).</p>	<p>Ed Code 51101.1</p>

SUBJECT	LEGAL RESOURCE
<p>School Accountability Report Card, Internet Accessibility –Requires districts to develop for each school a school accountability report card. Content of report card defined under EC § 33126, amended for 2006-2007, to include revised estimated expenditures per pupil and types of services funded, e.g., personnel salaries; schools identified by governing board as having insufficient textbooks or instructional materials including percentage of pupils lacking sufficient standards-aligned textbooks or instructional materials by subject area; and career technical education data measures, as specified. Content of report card defined under EC § 33126, as amended, to now include misassignments of teachers, number of vacant teacher positions, availability of sufficient textbooks and other instructional materials, and needed maintenance to ensure good repair of facilities. Content further defined under EC §§ 32286 (school safety plan) and 52056 (Academic Performance Index). Schools encouraged to make concerted effort to notify parents of purpose of school accountability report cards, ensure that all parents receive copy of the report card, and ensure that districts with internet access make copies of report available through internet. Further requires notification to parents that copy will be provided upon request. (EC § 33126 amended by SB 550, Ch. 900, Statutes of 2004). Requires school districts, commencing with the 2008/09 school year to make the school accountability report card available to parents or guardians either by the Internet or hard copy on or before February 1 of each year.</p>	<p>Ed Code 33126(c), 35256, 35258 BP 0510, AR 0510</p>
<p>School Accreditation – Requires a school board to give official notice, at a regularly scheduled meeting, if a school that has elected to be accredited by the Western Association of Schools and Colleges or other accrediting agency, loses it accreditation status. Further requires written notification to parent/guardian/caregiver of pupils in the school of the lost accreditation status and potential consequences.</p>	<p>EC § 35178.4 BP 6190</p>
<p>School Attendance Review Board referral – If any minor is a habitual truant, or is irregular in attendance at school, the pupil may be referred to a School Attendance Review Board (SARB). The supervisor of attendance or a designee shall notify the minor and parents or guardian of the referral.</p>	<p>EC § 48263, 48260.5 BP 5113, AR 5113</p>
<p>School Bus Safety Rules – All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (i.e., a list of school bus stops near each pupil’s home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.</p>	<p>EC § 39831.5 AR 3543</p>

SUBJECT	LEGAL RESOURCE
School Crimes Handbook – Requires the State Attorney General’s office to prepare and present to the State Superintendent of Public Instruction a handbook, written in easily understandable language that summarizes California penal and civil law pertaining to crimes committed against persons or property on school grounds. The superintendent shall publish and disseminate the handbook to all school districts and request that all parents and guardians be notified of the contents and availability of the handbook.	PC § 626.1
School Crime Reports – Mandates reporting of specified crimes and fights on provided form provided by the State Department of Education.	PC § 628, Et. Seq.
<p>School Identified for Program Improvement, Notification, Option to Transfer or Receive Supplemental Educational Services - NCLB requires schools identified for program improvement to promptly notify parents or guardians of students enrolled at the school of the following:</p> <ol style="list-style-type: none"> 1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state 2. The reasons for the identification 3. An explanation of what the school is doing to address the problem of low achievement 4. An explanation of what the district or state is doing to help the school address the achievement problem 5. An explanation of how parents or guardians can become involved in addressing the academic issues that caused the school to be identified for program improvement 6. An explanation of the option to transfer to another district school or charter school or to obtain supplemental educational services <p>Schools required to provide supplemental educational services must annually notify parents/guardians of:</p> <ol style="list-style-type: none"> 1. The availability of supplemental educational services 2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies 3. The identity of approved providers that are accessible through technology, such as distance learning 4. The services, qualifications and demonstrated effectiveness of each provider 5. The procedures and timelines that parents/guardians must follow to select a provider 	<p>20 USC § 6316 BP 0520.3, AR 0520.3</p>
School Identified for Program Improvement Timely Notice – When a school identified for program improvement or corrective actions, the school must give notification within 30 days of failure to make annual yearly progress. District must notify parents of all English Language Learners.	20 USC § 6312
School Safety Patrol – Requires written parental permission prior to assigning a student to a school safety patrol. Notification is implied.	EC § 49302

SUBJECT	LEGAL RESOURCE
School Safety Plans – Each Yuba City Unified School District school site has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to read at each school office. Fire drills are held monthly in elementary schools; emergency drills are held quarterly throughout the district.	EC § 32282.5
School Safety Plan: Annual Report – Requires school site each July to report on status of its school safety plan, including description of its key elements, in the annual school accountability report card prepared pursuant to §§33126 and 35256.	EC § 32286
School Safety Plan: Notice of Non-compliance – Requires each school district to annually notify the State Department of Education by October 15, of any school that has not complied with Ed Code 35294.1.	EC § 35294.8
School Safety Plan: Notice to Specified Persons and Entities – Requires each school site council or school safety planning committee to notify, in writing, specified persons and entities about the required public meeting to allow members of the public an opportunity to express an opinion about the school plan. Specified persons or entities shall include: the mayor; representative of the local school employee organization; representative of parent organizations including the parent teacher organization at the school site; a representative of the student body government; and all other persons that indicate they want to be notified.	EC § 32288
Scoliosis Notification – Requires notification to parent of any pupil suspected of having Scoliosis. Notification must include an explanation of Scoliosis, early treatment significance, and public services available for treatment.	EC § 49452.5 BP 5141.3, AR 5141.3
Section 504 – Identification and Education - Section 504 of the Vocational Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101 et seq.) prohibit discrimination on the basis of disability. Section 504 requires district to identify and evaluate children with disabilities to ensure a free, appropriate public education. Individuals with physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs to same extent needs of nondisabled students are met. District to designate person responsible for implementing requirements of Section 504 and to establish screening and evaluation procedures to use when pupil suspected to have disability that limits ability to attend or function at school. Requires district to notify eligible pupils and their parents of the schools’ duty under Section 504 and to provide parent notice of procedural safeguards, as specified.	29 USC § 794, 34 CFR §§ 104.32, 104.36
Severance of Attendance: Report to County Superintendent of Schools – Permits county superintendents of schools to require reporting of severance of attendance.	EC § 48202
Sex Education Classes– Requires all public schools that teach sex education courses that discuss sexual intercourse to include the provisions of § 1255.7 of the health and Safety Code and Section 271.5 of the Penal Code, relating to parents and others who voluntarily surrender physical custody of a minor child 72 hours old or younger at a hospital emergency room or other designated place without being subject to prosecution.	EC § 51933

SUBJECT	LEGAL RESOURCE
Sex Education Instruction – Requires district to notify parents, in writing, prior to any instruction in which human reproductive organs and their functions and processes are described, illustrated, or discussed, and right of parents to inspect and review materials to be used. Notice may be sent by regular mail or other method commonly used to communicate in writing with parents. Opportunity for parent to request, in writing, that child not attend instruction should also be included.	EC § 51550 AR 6142.1
Sexual Harassment - Required written policy. - Requires copy of district sexual harassment policy to be displayed in prominent location, provided as part of any orientation for new students, distributed to all employees, and included in publications that set forth standards of conduct for district.	EC § 231.5, 48980(g) 5 CCR § 4917 BP 5145.7, AR 5145.7
Sexual harassment policy as related to students – Requires annual notification to include a copy of the district’s written policy on sexual harassment as it relates to pupils.	EC § 48980 (g) BP 5145.7, AR 5145.7
Signs at Entrances – Mandates signs at each school site entrance specifying entrance registration requirements, where office is located, and route to take for outsiders. Although this provision only applies to outsiders, a local governing board can use its broaden range powers, pursuant to EC § 35160, to broaden the requirement to include all visitors (including parents). Entrance signs are mandated if a school wishes to control access to school premises pursuant to PC § 627 et. seq.	PC § 627.6
Special Education – Requires districts to inform parents of Federal law which requires that a free and appropriate education (FAPE) in the least restrictive environment be offered to qualified students with disabilities ages three through and 21 years; and early intervention services for “at-risk infants and toddlers” under three years of age. See also Ed Code §§5301 and 56246.	Individuals with Disabilities Education Act
Special Education – Written Notice – Whenever there is a proposal or refusal to initiate or change the identification, evaluation, or placement.	20 USC 1415(c) 34 CFR 300.503 AR6159.1
Special Education: Age of Majority – Beginning at least one year before special education pupils reach the age of 18, they are to be informed of their rights that will transfer them upon reaching the age of 18. A statement of this nature shall be included in the individualized education program.	EC § 56345(a)(8)
Special Education: Assessment Plan, Parental Rights – Requires district provide parent with written, proposed assessment plan within 15 days of referral for assessment, as specified. Further requires notification of parents’ rights to be included. Primary language of parent or other mode of communication is required. IEP meeting scheduled and determination at meeting upon completion of administration of assessment. If parent disagrees with assessment, he/she has the right to obtain independent educational assessment.	EC § 56321, 56301 34 CFR 300.502 BP 6164.4, AR 6164.4
Special Education: Assessment, Due process – Requires as part of the assessment plan for special education evaluation, parents are notified that upon completion of the assessment an individualized education program team meeting will be held. The purpose of the meeting will be to discuss the assessment, the educational recommendations, and the reasons for the recommendations. Additionally, the parents are entitled to a copy of the assessment report and the documentation of determination of eligibility.	EC § 56329 34 CFR 300.502 BP 6164.4, AR 6164.4

SUBJECT	LEGAL RESOURCE
Special Education: Rights of Parents Related to Special Education - Requires special education local plan area (SELPA) to establish written policy and procedures for continuous child find system including children with disabilities who are homeless or wards of the state Policy and procedures to include written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment. EC § 56301 also requires notification of parent rights in specified circumstances. Prior to conducting initial evaluation, District must advise the proposed evaluation plan, related parental rights, and prior written notice.	Individuals with Disabilities Education Act (IDEA) EC §§ 56301, 56321, 56329 BP 6164.4, AR 6164.4; AR 5125 CRF 300.52
Special Education: Complaint – Appeal rights and procedures when providing written decision in response to a complaint re: discrimination, special education, or non compliance with laws regulating educational programs.	5 CCR 4631
Special Education Dangerous Behavior: Suspension decision for more than 10 days or disciplinary action taken for dangerous behavior.	20 USC 1415(k) 34 CFR 300.530 AR 5144.2
Special Education: Due Process Hearing – Notification upon requesting a due process hearing – child’s name, address, school, description of problem, and proposed resolution.	20 USC 1415(k), 34 CFR 300.508 AR 6159.1
Special Education: Electronic Recording of IEP – Requires notification listed in Ed Code 56321 to include the right to electronically record the proceedings of IEP meetings.	EC § 56321.5, 56341 AR 6159
Special Education: Emergency Intervention – within one school day of emergency intervention or serious property damage.	5 CCR 3052 AR6159.4
Special Education: Functional Behavioral Assessment – Notification and consent before functional behavioral assessment begins. Need for modification & right to question modification of behavioral intervention plan.	5 CCR 3052 AR6159.4
Special Education: IEP – Need for written request when parent orally requests review of IEP. Notice of IEP meetings, why participation is necessary when prior to participation in special education. Procedural safeguards notice for initial referral for evaluation, notification of IEP meeting, reevaluation of student, and registration of complaint.	EC § 56343.5, 56346 20 USC 1415(d) 34 CFR 300.503 AR 6159, BP 6159.1
Special Education: IEP Notification – early enough to ensure opportunity for parent to attend IEP meeting – time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate.	EC § 56341.5 34 CFR 300.345 AR 6159
Special Education: Modification – Before modification of behavioral intervention notify the need for modification, right to question modification.	5 CCR 3052
Special Education: Placement Change – Decision regarding change of placement for more than 10 days. Decision and procedural safeguards notice.	20 USC 1415(k) 34 CFR 300.530 AR 5144.2
Special Education: State Hearing - Attorney – Notify 10 days before using an attorney to present arguments at state hearing.	EC § 56507 AR 6159.1

SUBJECT	LEGAL RESOURCE
Special Education Teacher Qualifications – provide special education teachers must meet highly qualified standards set under NCLB. Adds EC § 56059 to clarify failure of district to employ highly qualified teacher does not create right of action on behalf of pupil.	EC § 56301
Standardized Achievement Test – Within 20 working days of receiving results of standardized achievement test. Results of test; test purpose, individual score and intended use.	EC § 60641, 5 CCR 863 BP 6162.51, AR 6162.51
<p>Student Conduct - Provides that parents and guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including disciplinary rules and procedures in accordance with Section 48980, attendance policies, dress codes, and procedures for visiting the school.</p> <p>Duties of Pupils – 5CCR 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.</p> <p>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.</p> <p>Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.</p> <p>Mandatory Expulsion Violations – EC 48915</p> <p>Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds:</p> <ol style="list-style-type: none"> 1. Possessing, selling, or otherwise furnishing a firearm. 2. Brandishing a knife at another person. 3. Unlawfully selling a controlled substance. 4. Committing or attempting to commit a sexual assault. 5. Possession of an explosive. <p>The school board shall order the student expelled upon finding that the student committed the act.</p>	EC § 44807, 48915, 51100 5 CCR 300
Sun-protective Clothing and Sunscreen Use- EC § 35183.5 requires school sites to allow for outdoor use during school day articles of sun-protective clothing. Authorizes sites to set policy regarding type of clothing to be allowed. EC §35183.5 further provides for the use of sunscreen by students, during the school day, without a physician’s note or prescription. Further authorizes sites to establish policy regarding the use of sunscreen.	EC § 35256 35183.5
Suspension – Requires Reasonable Effort to Notify the Parents in Person or by Telephone at Time of Suspension; Mandates Follow-up Notification in Writing. Requires request to parent to attend meeting to determine if suspension should be extended when expulsion is being considered.	EC § 48911 BP 5144.1, AR 5144.1
Suspension by Governing Board: Intent to Hold a Closed Session – Permits governing board to suspend within the limits of Ed Code 48903, restrictions on days of suspension. Requires written notice by registered or certified mail, or personal service, of the board’s intent to conduct a closed hearing for disciplinary action.	EC § 48912 AR 5144.1

SUBJECT	LEGAL RESOURCE
Suspension by Teacher; Reports, Conferences, Referrals – Authorizes teacher to suspend pupil from class. Specifies terms and conditions of teacher suspensions. Requires report of the suspension to the principal and requires teacher to request parent or guardian to attend conference.	EC § 48910
Suspension and Expulsion: Pupil Records; Removal to Another District – Requires a school district to which a pupil is transferring to, request from the district of last enrollment, any records of acts committed that resulted in suspension or expulsion. Upon receipt of this information, the district shall inform the pupil’s teacher(s) of the suspension(s) or expulsion(s) including the acts committed.	EC § 48201
Tobacco Free Campus - Requires district and county office receiving Tobacco Use Prevention (TUPE) funds to adopt and enforce tobacco-free campus policy, to communicate policy to school staff, parents, pupils and community, and to post signs stating “Tobacco Use Prohibited” at all entrances to the school. Under § 104495, smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground, except on a public sidewalk located within 25 feet of the playground is prohibited. (Amended by AB 1867, Ch. 527, Statutes of 2003).	HSC §§ 104420, 104495
Transfers – Notice of Acceptance or Rejection of Application – Allows, but does not require, district to adopt resolution establishing “interdistrict choice.” Amended to provide that participating districts may provide written notice of acceptance or rejection.	EC § 48209.9
Transfers –Right to Review Records - When a student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30.	34 CFR 99.34 AR 5125
Truant - Notice to Parent or Guardian of a Truant– Mandates a letter to parent or guardian upon pupil’s initial classification as a truant. Includes mandated contents of letter.	EC § 48260.5 BP 5113, AR 5113
Truant – Report of Truants to Attendance Supervisor – Requires reporting of truant, as defined, to attendance supervisor or superintendent.	EC § 48260

SUBJECT	LEGAL RESOURCE
Uniform Complaint Procedures and Available Appeals; Identity of Coordinators – Requires annual written notification to pupils, employees, parents, district advisory committee, school advisory committees, and other interested parties of Uniform Complaint Procedures which apply to all state and federal categorical programs requiring formal complaint procedures regarding alleged acts of discrimination on the basis of ethnic group identification, religion, age, sex, color, sexual orientation, gender, race, ancestry, national origin, and physical or mental disability. Notice is to include identity of person(s) responsible for processing complaints, civil law remedies that may be available, and the appeal or review procedures contained in the following sections of 5 CCR: § 4650, Basis of Direct State Interventions; § 4652, Appealing Local Agency Decisions; and § 4671, Federal Review Rights. Notice to be in English, and when applicable under EC § 48985, primary language or mode of communication of recipient. New Education Code Section 32289 authorizes filing of Uniform Complaint for noncompliance with school safety planning requirements of Title IV of the NCLB (20 USC § 7114(d)(7)). (Added by AB 2885, Ch. 272, Statutes of 2004).	Code: Code of Regulations, Title 5, Section 4622 EC § 32289, 262.3 BP 1312.3, AR 1312.3
University Campus Buildings – notifies before high school student attends specialized secondary program on a university campus. Notices that university campus buildings may not meet Education Code requirements for structural safety.	EC § 17288
Vehicles Subject to Search - Authorizes schools to search all vehicles on school property without cause so long as warnings that such searches may take place are posted and visible.	Vehicle Code Section: 21113
Venereal Disease Education – Permits governing boards of any school district to offer instruction in venereal disease education with assistance from the California Department of Education. Requires written notice to parents by regular mail or any other method of delivery regarding their rights to inspect materials and/or to exclude child from such instruction.	EC § 51820 AR 6142.1
Violent Crime – Notice of Occurrence – Provides that the principal or designee may send a written notice of the occurrence and general nature of a crime to each pupil’s parent or legal guardian, following verification with law enforcement of the occurrence of a violent crime on an elementary or secondary school site.	EC § 35294.1
Violent Crime Victim – A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. For more information, contact the office of Student Welfare & Attendance 822-7641.	20 USC 7912a
Vision and Other Defects – Requires district supervisor of health to report to parents any noted health (including visual) defects. Further requires that the report ask the parent to take such action as will cure or correct the defect.	EC § 49456 BP 5141.3, AR 5141.3
Visitors to School Campus - Requires district to post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. See, also, EC § 32211. Annual notification recommended.	PC § 627.6

SUBJECT	LEGAL RESOURCE
Vision Appraisal – Requires notice to parents of their right to refuse vision appraisal of their pupils by filing copy of private physician, surgeon, optometrist report, or to refuse appraisal due to religious beliefs by filing written statement with the principal.	EC § 49455
Weapons and/or Dangerous Object Taken From Student – Parent/guardian to be notified if a dangerous or injurious object is taken from student.	EC § 49332 AR 5131.7
Williams Act - Supplemental Uniform Complaint Procedure (Williams) - Requires district to establish policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment. District to adopt policies and post notices by January 1, 2005. Content of classroom notice amended to require mention that there should be no teacher vacancies or misassignments as defined. Further requires district to use Uniform Complaint Procedures (5 CCR §§ 4600 et seq.) to identify and resolve complaints regarding those issues. Sets forth different timelines for investigation and resolution of complaints than timelines specified under Uniform Complaint Procedures. Note: The California School Board Association recommends that districts keep EC § 35186 procedure separate from existing Uniform Complaint Procedures. (EC § 35186 by AB 831, Ch. 118, Statutes of 2005)	EC § 35186
Withholding Grades for Property Damage – Authorizes district to withhold grades, diploma, and transcript of pupil willfully damaging school property, after affording pupil due process. Requires written notice to parent of alleged misconduct before withholding grades, diploma, or transcript. Requires district to establish procedures for withholding.	EC § 48904 AR5125.2
Withholding Grades, Transcripts, Diplomas – Requires any school district that decides to withhold a pupil's grades, diploma, or transcripts pursuant to § 48904 (authority to withhold) shall, upon receiving notice that the pupil has transferred to any school district in the state, notify the parent/guardian of the pupil, in writing, that the decision to withhold will be enforced until the obligation for damages (pursuant to § 48904) has been met.	Ed Code 48904.3(b) AR 5125

YUBA CITY UNIFIED SCHOOL DISTRICT
750 Palora Avenue
Yuba City CA 95991 -- (530) 822-7641
TRANSFER MUST BE RENEWED EACH SCHOOL YEAR
INTRA and INTER DISTRICT FORM

School Year Requested_____

Grade Level for School Year Requested_____ Student ID Number (if known)_____

Student Last Name_____ Student First Name_____

Parent/Guardian Name_____

Address_____ City_____ Zip_____

Parent/Guardian Home Phone #_____ Work#_____

School / District of Residence_____ School Currently Attending_____

School / District Requested_____

Is the student currently or had been under an expulsion, discipline, or SARB contract? _____

List any special programs your child is enrolled in (i.e. Special Education, 504 Plan, GATE, etc...)

Reasons for Request_____

Any Inter/Intra district attendance agreement is conditional upon the student obeying school rules and maintaining good attendance. Transportation will be the responsibility of the parent/student.

Signature, Parent or Guardian_____ Date_____

For Official Use Only

SENDING DISTRICT

_____ Approved _____ Denied

Name

Title

Date

RECEIVING DISTRICT

_____ Approved _____ Denied

Name

Title

Date

Comments:_____

BM:ss 4/11/11