

County Operated Schools & Programs

Student Handbook

Class 9

2021



SAN JOAQUIN COUNTY OFFICE OF EDUCATION
Troy A. Brown, Ed.D., County Superintendent of Schools



July 1, 2021

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one.[®]

one.MISSION

As a community of learners built on meaningful relationships, we ensure that each of us attains the skills and knowledge needed to thrive in a dynamic world.

one.VISION

We will continually create learning environments and provide opportunities so that diverse learners can own their future.



SJCOE
EDUCATE · INNOVATE · INSPIRE

County Operated Schools and Programs

Welcome to our school! Our mission is to ensure that all students attain the skills and confidence to make a positive difference and thrive in our ever-changing world. We want our students to:

- develop an appreciation of self and others, while learning to become productive citizens
- develop individual talents, critical thinking and problem-solving skills
- develop workforce readiness skills
- complete a course of study resulting in a High School Diploma

Concept of one.

The San Joaquin County Office of Education's Alternative Programs has adopted a guiding principle called the Concept of **one**.

The program's definition of **one**.

one. stands for our desire to remind students that each individual is important and can make a difference in the world; we also want to make the point that it is when individuals join together, and work as **one**., that miracles can occur.

ADMISSION AND ENROLLMENT

Students may be referred to the County Operated Schools & Programs by a local school district official, a School Attendance Review Board (SARB), the juvenile court, or by a probation officer.

The parent/legal guardian/caregiver is expected to share information with enrollment officials regarding any special education programs or 504 plans and services currently being received by the student. Each student will be assessed to determine appropriate placement.

Should you have questions or concerns, please contact our main office at (209) 468-4847.

REQUIREMENTS FOR HIGH SCHOOL DIPLOMA

In addition to the Academic portfolio presentation, students must complete the following to receive a high school diploma:

Subject	Units
English	40
Mathematics	10
Algebra 1 or Equivalent	10
Physical Education	20
World History	10
U.S. History	10
Life Science/Biological Science	10
Physical Science	10
Visual & Performing Arts/Foreign Language/CTE	10
CA Essential Career Skills	5
CA Career Exploration	5
Government/Civics	5
Economics	5
Community Service	2
Electives	48
Total	200
Additional graduation requirements: <ul style="list-style-type: none">• Academic Portfolio	

ACADEMIC PORTFOLIO

The academic portfolio was designed to help students reflect on the skills they developed at Discovery ChalleNGe Academy, explore potential career options and to create a post residential action plan.

The criteria are:

- Post Residential Action Plan (PRAP)
- Job Skills/Career Readiness
- Demonstration of Academic Excellence
- Responsible Citizenship
- Life Coping Skills
- Personal Celebration

All potential graduates will receive a Graduate Handbook.



9th Grade Mathematics Placement Protocol

In 2015 the California Legislature enacted SB 359, the California Mathematics Placement Act of 2015, which mandates that schools adopt a fair, objective and transparent mathematics placement policy for ninth-grade students. In compliance with SB 359, San Joaquin County Office of Education has developed the following placement protocol*. For the full San Joaquin County Office of Education Math Placement Policy please refer to **Appendix A**.

**Students served by SJCOE Special Education Programs follow their district of residence policies related to their academic coursework and progression in conjunction with their IEP.*

INITIAL PLACEMENT:

Ninth grade initial placement determination made in spring of a student's eighth grade year:

- Geometry or Integrated Math 2 - Student has completed Algebra I/Integrated Math 1 with a 'C' or better.
- Integrated Math 1 - Student meets 3 of the placement indicators.
- Integrated Math A - Student meets 2 or less of the placement indicators.

STUDENT PLACEMENT VERIFICATION:

Student placement will be reevaluated within 30 days of ninth-grade year.

NINTH GRADE PLACEMENT INDICATORS (including but not limited to):

Initial Placement Indicators (Most recent information from eighth grade year)

1. Program Diagnostic Test: <ul style="list-style-type: none"> a. Integrated Math 1: Scores of an eight grade level or higher b. Integrated Math 1A: Scores of a seventh grade level equivalency or lower
2. Grades: <ul style="list-style-type: none"> a. Integrated Math 1: 'B' or higher in third quarter b. Integrated Math 1A: 'C' or lower in third quarter
3. Seventh grade CAASPP Scores <ul style="list-style-type: none"> a. Integrated Math 1: Scores within Meets or Exceeds Standards b. Integrated Math 1A: Scores within Nearly Met Standards or below
4. Teacher Recommendation

Placement Check (Within 30 days of beginning ninth-grade)

1. Program Diagnostic Test
2. Teacher Recommendation

**Students served by SJCOE Special Education programs follow their district of residence policies related to their academic coursework and progression in conjunction with their IEP.*

ATTENDANCE

Regular attendance is essential to continuing enrollment in **County Operated Schools and Programs (COSP)**. The student is required to attend school daily, to arrive on time, and to remain in class until dismissed by the teacher-in-charge. Absences will be determined to be excused or unexcused pursuant to Education Code 48205:

a) A Pupil shall be excused from school when the absence is:

- (1) Due to the pupil's illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of the pupil's 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 the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- (8) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
- (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

- (10) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260 of the Education 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 means to the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

TRUANCY

The Intervention and Prevention Specialist, the Truancy Intervention and Prevention Administrator, along with student's teachers, will be monitoring your student's attendance frequently and will initiate appropriate intervention strategies as needed to address attendance patterns.

Truancy and Intervention Mission: We construct a student support system with daily outreach to eliminate barriers that contribute to truancy.

Student Support Meetings

Once a student has accrued 10 unexcused absences, the family and student will be required to attend a Student Support Meeting. During this meeting, the families/student will meet with a team made up of: Administrators, Teachers, Counselors, Family Intervention Specialists, Attendance Intervention Specialists, Probation and outside resources as needed. The goal of this meeting is to create a plan with the family/student that will be carried out to improve attendance and meet goals set out by the family/student.

IMPORTANT NOTICE: Senate Bill 1317 in 2011 (Penal Code 270.1), a parent or guardian of a pupil of six years in age or more who is in kindergarten or any of grades one through eighth grade can be prosecuted if their child becomes chronically truant. Students of ages 13 through 18 also can face legal proceedings. Parents, guardians, or persons in charge are responsible for their student's attendance at school.

Truant Definitions:

Truant: Any pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without a valid excuse three full days, 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, is a truant and shall be reported to the attendance supervisor or the superintendent of the school district. (EC Section 48260[a])

Habitual Truant: A pupil is deemed to be a habitual truant if he or she has been reported as a truant on three or more occasions in a school year, provided that an appropriate district employee has made a conscientious effort to hold at least one conference with a parent or guardian and the pupil, after sending either of the notices required by Section 48260 or Section 48261. A "conscientious effort" means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call. (EC Section 48262)

Chronic Truant: Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with EC sections 48260, 48260.5, 48261, 48262, 48263, 48291, and EC Section 48263.6.

The County Office of Education, pursuant to **Education Code 48260.5**, is required to notify you of the following information:

- (a) That the pupil is truant.
- (b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- (c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
- (d) That alternative educational programs are available in the district.
- (e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- (f) That the pupil may be subject to arrest under **Education Code Section 48264**.
- (g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to **Vehicle Code Section 13202.7**.
- (h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day

TRUANCY PROCESS

- TIER 1** Student and Parent are contacted and notified by the teacher/campus safety technician (CST). Student is identified as a truant after **three unexcused absences. Truancy Letter #1 is mailed out.** (CA Ed. Code Section 48260.5)
- TIER 2** Student and parent are contacted and notified by the teacher/CST. Student is identified as a truant after **five unexcused absences.**
- TIER 3** Student is identified as a habitual truant after **10 unexcused absences. Truancy Letter #2 is mailed out.** (CA Ed. Code Section 48260.5) A **mandatory** Student Support Meeting will be held at the school site to provide resources and identify barriers to daily attendance.
- A) CST, 654 probation assistants, and teaching staff will place phone calls home and site administrators will conduct home visits. Habitually truant students will be included in initial truancy sweeps.
- TIER 4** Student is identified as chronically truant after **20 unexcused absences. Truancy Letter #3 is mailed out.** (CA Ed. Code Section 48260.5) Chronically truant students are eligible to be transferred to an intervention school site for additional support. Parents/legal guardian/care givers of chronically truant workshop.

Truancy Letters

Truancy Letter #1 - 3 Absences

Truancy Letter #2 - 10 Absences - Mandatory Student Support Meeting held at school site

Truancy Letter #3 - 20 Absences - Possible transfer to Truancy Intervention Site

Truancy Intervention School Site Placement

- The Frontier school site is the **one**. Program truancy intervention school site.
- To begin the school year, all students placed at Frontier Truancy Intervention Sites will be students from the previous school year with identified truancy issues.
- Students may be placed directly at a Frontier Truancy Intervention Site from weekly enrollments if there is documentation from the previous school site which supports this placement.
- Chronically truant students are eligible for placement at a Frontier Truancy Intervention Site.

IMPORTANT NOTICE: Families receiving Temporary Aid to Needy Families (TANF): The San Joaquin County Office of Education is required to notify the Human Services Agency of San Joaquin County if a TANF student becomes “**habitually truant.**” Human Services Agency is required to sanction (reduce) the TANF amount.

HOLIDAYS

SJCOE recognizes the following holidays:

- | | |
|--|------------------------|
| <input type="checkbox"/> Monday, September 6, 2021 | Labor Day observed |
| <input type="checkbox"/> Thursday, November 11, 2021 | Veteran’s Day observed |
| <input type="checkbox"/> Thursday, November 25, 2021 | Thanksgiving Day |

CURRICULUM

County Operated Schools and Programs uses an integrated, thematic approach to instruction in alignment with common core state standards.

COLLEGE ADMISSION REQUIREMENTS AND HIGHER EDUCATION INFORMATION

Each school year, a school district shall provide the parents/guardians/caregivers of students in grades 9 through 12 with a written explanation of the requirements for admission to the California State University and the University of California. (Ed. Code, § 51229) The information is posted in the [Course Catalog](#).

Student Learner Outcomes (SLO)

SLO areas were determined by COSP staff to be essential to the success of students upon graduation. Students and teachers examine these areas during each semester unit by the use of the Individual Learning Plan. The SLO areas are:

- Students will embrace Opportunity
 - Take personal responsibility for academic success and character development
 - Identify purpose and plan accordingly to be successful on a chosen pathway
 - Connect with community resources to achieve personal and career goals that align with post-graduation plans
- Students will Navigate through 21st-century skills
 - Display college- and career-ready skills that reflect the needs of an identified career pathway
 - Demonstrate time management and organizational skills that reflect career readiness
 - Communicate effectively using appropriate language, media, and digital literacy
 - Adapt and empathize with diverse situations, ideas, beliefs, and behaviors
- Students will value lifelong learning and Education
 - Apply critical thinking skills in reading, writing, listening, speaking, math, and technology in all subject areas
 - Develop an academic foundation that promotes post-secondary opportunities including college, technical schools, trade schools, and military service
 - Persevere through rigorous academics by developing coping and problem-solving skills

REPORT CARDS

Credits and grades are awarded at the end of each reporting period. Students are awarded 0 to 65 credits based on successful completion of assigned coursework and assessments.

Midterm progress reports are sent home twice during each class cycle. Term 1 and 2 grades are sent home after each term.

REPORTING TERMS

- Term 1 ends Thursday, October 1, 2021
- Term 2 ends Thursday, December 9, 2021

NOTE: Report cards will be mailed after the end of the reporting period.

GRADE LEVEL EQUIVALENCY FOR COSP IS AS FOLLOWS:

- 9th grade 0-50 credits
- 10th grade 51-100 credits
- 11th grade 101-150 credits
- 12th grade 151-200 credits

Total credits earned are based on the last official school transcript and are used for special events.

ASSESSMENT

Initial assessment is completed to determine individual pupil needs. This may include:

- review of existing special education records
- information on students in Licensed Care Institutes (LCI)
- academic pre-tests (to determine program placement)
- evaluation of transcripts
- program orientation
- computer aided student assessment in math and language arts

Ongoing assessment of pupil progress occurs to plan for immediate/future needs and to measure effectiveness of instruction. This may include:

- projects (individual and/or group)
- tests in subject areas
- student study team meetings
- aptitude assessment
- interest assessment
- individual assessment information gathered through special education assessment procedures
- program writing assessments
- computer aided student assessment in math and language arts
- report cards
- writing rubric(s)
- Academic Portfolio

State mandated tests include:

- English Language Proficiency Assessments for California (ELPAC)
- California Assessment of Student Progress and Performance (CAASPP) **Refer to Appendix B**
- Physical Fitness Testing (PFT)
- California Science Test (CAST)
- Test for Adult Basic Education (TABE)

Parent Portal

Student Score Reports can now be accessed electronically through the parent portal.

The portal URL is: <https://sjcoe.illuminatehc.com/login>

Click the red button labeled 'Sign in with Google' to access the portal. Students will need to be logged into their SJCOE Google account to access the portal. If students are not logged into their Google account they will be prompted to log on.

Statewide Testing Notification

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

The California Assessment of Student Performance and Progress (CAASPP) tests consist of the following:

- **Smarter Balanced Assessment Consortium Assessments**

The Smarter Balanced computer adaptive assessments are aligned with the Common Core State Standards (CCSS). English language arts/literacy (ELA) and mathematics tests are administered in grades three through eight and grade eleven to measure whether students are on track to college and career readiness. In grade eleven, results from the ELA and mathematics assessments can be used as an indicator of college readiness.

- **California Science Tests (CAST)**

The computer-based CAST measures students' achievement of the California Next Generation Science Standards (CA NGSS) through the application of their knowledge and skills of the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts. The CAST is administered to all students in grades five and eight and once in high school (i.e., grade ten, eleven, or twelve).

- **California Alternate Assessments (CAAs)**

Only eligible students—students whose individualized education program (IEP) identifies the use of alternate assessments—may participate in the administration of the CAAs. Test examiners administer the computer-based CAAs for ELA, mathematics, and science one-on-one to students. Students in grades three through eight and grade eleven will take the CAA for ELA and mathematics. Test items developed for ELA and mathematics are aligned with the CCSS and are based on the Core Content Connectors.

Students in grades five and eight and once in high school (i.e., grade ten, eleven, or twelve) will take the CAA for Science. The CAA for Science embedded performance tasks are based on alternate achievement standards derived from the CA NGSS. Students taking the CAA for Science will take three embedded performance tasks in spring 2019.

- **California Spanish Assessment (CSA) for Reading/Language Arts**

The optional CSA for Reading/Language Arts in Spanish is aligned with the California Common Core State Standards en Español. This computer-based test allows students to demonstrate their Spanish skills in listening, reading, and writing mechanics.

Pursuant to California *Education Code* Section 60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

English Language Proficiency Assessments for California

California will transition from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC) in 2017–18. The ELPAC is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP) assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students' English language proficiency level and to measure their progress in learning English.

Physical Fitness Test

The physical fitness test for students in California schools is the FitnessGram[®]. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades five, seven, and nine take the fitness test.

California Department of Education | August 2018

INSURANCE

SJCOE participates in a Student Accident Insurance Program for all students. This program provides coverage for student accidents or injuries that occur during the hours and days when school is in session and while attending or participating in school-sponsored and supervised activities on or off of school premises. The Student Accident Program is underwritten by QBE. This student accident insurance is an excess policy, which means that if the student has primary insurance coverage, that coverage should pay first. If the student has no other insurance coverage, QBE may be considered primary. Please contact 468-4847 for more information.

ANNUAL NOTIFICATION FOR MEDI-CAL BILLING IN SCHOOLS

As part of the San Joaquin County Office of Education (SJCOE), County Operated Schools and Programs (COSP) participates in the Local Education Agency Medi-Cal Billing Option Program offered through the California Department of Health Care Services and the Centers for Medicaid Services. The program allows for the school district to receive federal reimbursement funds for some health services provided to Medi-Cal eligible students while they are at school. The funds are reinvested back into the school programs to benefit students and their families.

County Operated Schools and Programs (COSP) can bill Medi-Cal for Early and Periodic Screening Diagnostic and Treatment (EPSDT) assessments and services for students in the areas of school nursing and mental health services.

Consistent with the following Codes of Federal Regulations: 34 CFR 300.154(d)(2)(iv), 34 CFR 300.154(d)(2)(v), 34 CFR 99.30 and 34 CFR 300.622:

- Parental consent must be obtained before County Operated Schools and Programs (COSP) can submit Medi-Cal claims for the student's billable health services. This is a one-time consent that can be revoked by the parent at any time.
- The services that County Operated Schools and Programs (COSP) provides to the student will not be affected in any way by the parent's consent or refusal.
- The parent/student will never pay a fee for health services provided to the student by County Operated Schools and Programs (COSP). The parent/student's Medi-Cal benefits will never be affected in any way.
- The student's medical/educational records may be disclosed to Medi-Cal for the purpose of authenticating claims.
- County Operated Schools and Programs (COSP) will provide annual written notice to parents before accessing their student's public insurance benefits (Medi-Cal).

SCHOOL SITE SURVEILLANCE

County Operated Schools and Programs will have a surveillance system at the following locations: 700 East Roth Road, Lathrop, CA. Images captured by the camera will be monitored by school personnel and may be referred to local law enforcement as appropriate. Any recording or image of a student collected by SJCOE is considered a "student record" and thus is subject to those laws regarding access, disclosure, and retention.

INTOUCH AUTODIALER PARENT NOTIFICATION SYSTEM AND SERVICE

COSP utilizes Intouch Autodialer, an automated system to contact parents/legal guardians/caregivers via phone, text and email to communicate important information regarding school events and emergencies, such as testing dates, enrollment dates, special activities, and student absence notification. Please ensure all phone numbers and email addresses on file for your student are correct.

WELLNESS POLICY

The San Joaquin County Office of Education Wellness Policy is available for viewing on the San Joaquin County Office of Education's website, <https://www.sjcoe.org/cospstatefedinfo/>. A copy of the plan is on file in the Comprehensive Health Office at the Education Service Center, 2707 Transworld Drive, Stockton, California 95206. You may also obtain a copy at your student's school site.

COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV/AIDS PREVENTION EDUCATION

The California Healthy Youth Act, which took effect January 2016, requires school districts to provide students with integrated, comprehensive, accurate and unbiased comprehensive sexual health and HIV/AIDS prevention education at least once in middle school and once in high school (grades seven to twelve inclusive). Education lessons are provided in the classroom virtually and/or in person as part of the regular COSP curriculum. Students on independent study work with their teachers to schedule attendance at health curriculum presentations.

The California Healthy Youth Act has five primary purposes:

1. To provide pupils with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy;
2. To provide pupils with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family;
3. To promote understanding of sexuality as a normal part of human development;
4. To ensure pupils receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end;
5. To provide pupils with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors

For information on the California Healthy Youth Act, California *Education Code (EC)* sections 51930–51939

**Comprehensive Sexual Health and HIV/AIDS Prevention Instruction Parent/Legal
Guardian/Caregiver Notification For Students Grades 7th-12th
San Joaquin County Office of Education
County Operated Schools & Programs**

Dear Parent/Legal Guardian/Caregiver,

This is to notify you that your son/daughter/dependent will be participating in comprehensive sexual health education, HIV/AIDS prevention education as authorized by the California Youth Health Act (CA Education Code 51930-51939).

Dates (s) of Instruction: 2021-2022 Academic Year

Instruction given virtually, hybrid, and/or in-person by: **one.** Teachers and Delta Health staff

Outside Organization: Delta Health Care- Making Proud Choices

Outside Consultant Name: Stephanie Bentz (209) 444-8300

Parent/Legal Guardian/Caregiver, Important Information:

- Written and audiovisual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education are available for inspection. (EC 51938) Please contact the school site.
- You have the right to review the instructional materials and curriculum.
- You have the right to request in writing that your child **not** receive comprehensive sexual health education or HIV/AIDS prevention education. (Ed. Code, § 51240)

Your child shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/legal guardian declines to permit the student to receive the instruction. (EC 51939)

CONSENT FOR THE CALIFORNIA HEALTHY KIDS SURVEY
2021-2022 SCHOOL YEAR
MIDDLE/HIGH SCHOOL

Dear Parent or Guardian:

Your child is being asked to be a part of our school's California Healthy Kids Survey (CHKS) sponsored by the California Department of Education. This is a very important survey that will help promote better health and well-being among our youth, improve the school learning environment and combat problems such as drug abuse and violence. *Your child does not have to take the survey. If you do not want your child to complete the survey, you must notify your school.*

Survey Content. The survey gathers information on developmental supports provided to youth; school connectedness and barriers to learning; school safety; and health-related concerns such as physical activity and nutritional habits; alcohol, tobacco and other drug use; and risk of depression and suicide and perceived sexual orientation.

The results from this survey are compiled into district- and county-level CHKS Reports. To view a copy of your district's report, go to <https://calschls.org/reports-data/search-lea-reports/> (Outside Source) and type in the district name.

It is Voluntary. Students who, with your permission, agree to participate do not have to answer any questions they do not want to answer, and may stop taking the survey at any time.

It is Anonymous. No names are recorded or attached to the survey forms or data. The results will be made available for analysis only under strict confidentiality controls.

Administration. The survey will be administered between October through December 2021. It will take about one class period to complete (about 50 minutes) and will be administered in your child's English class.

Potential Risks. There are no known risks of physical harm to your child. Risks of psychological or social harm are very small. None have been reported in 20 years of survey administration. In rare instances, some discomfort might be experienced from the questions. The school's counseling services will be available to answer any personal questions that may materialize.

For Further Information. The survey was developed by WestEd, a public, non-profit educational institution. If you have any questions about this survey, or about your rights, call the Director of Curriculum at (209) 468-5944.

If you do not want your child to participate, you may contact the Director of Curriculum at (209) 468-5944.

CHKS Withdrawal Form

By returning this form, I ***do not give permission*** for my child to be in the California Healthy Kids Survey.

(Please Print) My child's name is: _____ Grade: _____

Teacher's name or Class subject: _____

Signature: _____ Date: _____

HOME-SCHOOL COMPACT

The one.Program, and the parents/guardians of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESEA) (participating children), agree that this compact outlines how the parents/guardians, the entire school staff, and the students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build and develop a partnership that will help children achieve California's high standards. This Home-School Compact is in effect during the school year 2021-2022. As partners, we agree to make a commitment to work together to carry out the following:

SCHOOL RESPONSIBILITIES

The one.Program will:

1. Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to meet California's student academic achievement standards as follows:
 - Staff will participate in professional development opportunities that improve teaching and learning and support the formation of partnerships with families and the community.
 - Teachers will collaborate with one another regularly and participate in shared decision-making with other school staff and families for the benefit of students.
 - Strategic use of data to assess student learning and appropriate adjustments to instruction and academic interventions.
 - Provide rigorous and relevant curriculum and instruction centered around relationships.
 - Communicate high expectations for every student.
 - Motivate all students to learn.
 - Staff are committed toward PBIS (Positive Behavioral Interventions and Supports) and Restorative Practices and will enforce school rules equitably and involve students in creating positive school site culture.
 - Provide assistance to families on what they can do to support their student's learning.
 - Respect the school, staff, students, and families.
 - Actively model the Concept of **one.**
2. Hold family-teacher conferences and discuss this compact as it relates to the individual student's achievement. Specifically, those conferences will be held:
 - At all school sites:
 - September 13-17, 2021
 - December 6-10, 2021
 - February 14-18, 2022
 - April 25-29, 2022
 - Individual Conferences as arranged by parents/guardians and teacher(s).
3. Provide parents/guardians with frequent reports on their student's progress. Specifically, the school will provide reports as follows:
 - Quarterly report cards will be mailed home.
 - Parents/guardians can access their student's grades at any time using the Illuminate Parent Portal.
 - Teachers review grades with parents/guardians at conferences.
4. Provide parents/guardians reasonable access to staff. Specifically, staff will be available for consultation as follows:
 - Parents/guardians may reach out to teachers and administrators as needed by calling, emailing, or coming into the school personally to schedule a meeting.
 - Site-specific addresses and important phone numbers are given to families at the time of enrollment, as well as orientation.

5. Provide parents/guardians opportunities to volunteer and participate in their student's class, and to observe classroom activities, as follows:
- The Family Engagement team will support families in accessing opportunities to volunteer and participate in school events
 - Families interested in learning more about volunteer opportunities should call (209) 468-4847 and ask to speak with one of the Family Engagement Specialists.

PARENT/GUARDIAN OR FAMILY MEMBER RESPONSIBILITIES

We, as parents/guardians or family members, will support our student's learning by:

- Talking to my student regularly about the value of education.
- Communicating with the school when I have a concern and requesting a translator if needed.
- Making sure that my student attends school every day, on time, and with work completed.
- Supporting the school's discipline and dress-code policies.
- Monitoring my student's progress in school by accessing the Illuminate Parent Portal.
- Making every effort to attend parent-teacher conferences and other school events.
- Ensuring that my student gets adequate sleep, regular medical attention, and proper nutrition.
- Participating, as appropriate, in decisions relating to my student's education.
- Respecting the school, staff, students, and families.
- Providing up-to-date and accurate contact information.
- Serving, to the extent possible, on advisory groups such as the School Site Council.
- Promoting positive use of my student's extracurricular time.
- Staying informed about my student's education and communicating with the school by promptly reading all notices from the school either received in-person or by mail, and responding, as appropriate.
- Supporting the Concept of **one.**[®]

STUDENT RESPONSIBILITIES

We, as students will share the responsibility to improve our academic achievement and achieve California's high standards by:

- Believing that I can learn and will learn.
- Coming to class on time, ready to learn, and with assignments completed.
- Setting aside time every day to complete my homework.
- Knowing and following the school rules, as well as the dress-code policy.
- Regularly talking to my parents/guardians and my teachers about my progress in school.
- Respecting my school, classmates, staff, and family.
- Asking for help when I need it and accepting help from staff and peers.
- Giving all notices and information received to parents/guardians or family member.
- Actively modeling the Concept of **one.**[®]

PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents or guardians be notified of their rights and responsibilities in certain matters pertaining to their children's education.

1. **Absence for Religious Exercises and Instruction:** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. No pupil shall be excused from school for such purpose on more than four days per school month. (Ed. Code, § 46014) **Refer to Appendix C**
2. **Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:** A parent or guardian has the right to excuse their child from comprehensive sexual health education, HIV prevention education, and assessments related to that education. A parent or guardian who wishes to exercise this right must state their request in writing. (Ed. Code, § 51938) A parent or guardian may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of the California Healthy Youth Act (Ed Code § 51930 et. seq).

Parents or guardians shall be notified in writing if the District plans to administer an anonymous, voluntary and confidential test, questionnaire or survey containing age-appropriate questions about the pupils' attitudes concerning or practices related to sex in grades 7 to 12 and given the opportunity to review the test, questionnaire or survey. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey by stating their request in writing. (Ed. Code, § 51938)

Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction whether the instruction will be taught by District personnel or by outside consultants. If outside consultants or guest speakers are used, the notice shall include the date of the instruction, and the name of the organization or affiliation of each guest speaker will be identified. Parents have a right to request that the District provide them with a copy of Education Code sections 51933, 51934, and 51938. (Ed. Code, § 51938) If arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians no less than 14 days before instruction is given. (Ed. Code, § 51938)

3. **Excuse from Instruction in Health:** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' religious training or beliefs (including personal moral convictions). (Ed. Code, § 51240)
4. **Administration of Medication:** Medication prescribed by a physician or ordered by a physician assistant for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician, or a physician assistant as specified by law. In order for a child to carry and self-administer prescription auto-injectable epinephrine, the physician or physician assistant must also provide a written statement 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 auto-injectable epinephrine. Parents must also provide a release for the school nurse or designated school personnel to consult with the pupil's health care provider regarding questions that may arise with regard to the medication, and releasing the District and its personnel from civil liability if the self-administering

5. pupil suffers an adverse reaction as a result of self-administering auto-injectable epinephrine. Forms for administering medication may be obtained from the school secretary. (Ed. Code, §§ 49423, 49423.1, 49423.5, 49480)
6. **Students on Medication:** Parents are to notify the principal if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the principal or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code, § 49480)
7. **Immunizations:** The District shall exclude from school any pupil who has not been immunized properly, unless the pupil is exempted from the immunization requirement pursuant to Chapter 1 (commencing with section 120325) of part 2 of division 105 of the Health and Safety Code. The immunization exemption based on personal beliefs has been eliminated. (Health & Safety Code, § 120325) A student who, prior to January 1, 2016, submitted a letter or affidavit on file at the District, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, the District shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7th grade unless the student has been immunized for his or her age as required by law. (Health & Saf. Code, § 120335) A student may still be exempted from the immunization requirement based on medical condition or circumstances. A licensed physician or surgeon must transmit a completed medical exemption certification form from the California Department of Public Health directly to a local educational agency and the California Immunization Registry. The standardized medical exemption form shall be the only documentation of a medical exemption that shall be accepted by the district. (Health & Saf. Code, § § 120370, 120372)

A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. The health care practitioner may administer immunization for the prevention and control of diseases that present a current or potential outbreak as declared by a federal, state, or local public health officer. (Ed. Code, §§ 48216, 48980(a), 49403; Health & Safety Code, §§ 120325, 120335)

8. **Physical Exams and Testing:** The District is required to conduct certain physical examinations and vision and hearing testing of students, unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease, and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist. (Ed. Code, §§ 49451, 49452, 49452.5, 49455; Health & Saf. Code, § 124085) The district District may provide for scoliosis screening of every female student in grade 7 and every male student in grade 8. (Ed. Code, §§ 49451, § 49452.5)
9. **Confidential Medical Services:** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian. (Ed. Code, § 46010.1)
10. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without his or her consent or, if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code, § 49472)

11. **Medical and Hospital Services Not Provided:** The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471)
12. **Mental Health Services:** The District shall notify pupils and parents or guardians no less than twice each school year of the steps to initiate access to available pupil mental health services on campus and/or in the community. (Ed. Code, § 49428) Parents/guardians/caregivers/students may access mental health services by authorizing mental health treatment during the enrollment process or requesting services in person or in writing to a Site Administrator, Teacher, School Counselor or School Based Mental Health Clinician, at any time during the school year.
13. **Services for Students with Exceptional Needs or a Disability:** State and federal law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive

services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. § 104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone: **Refer to Appendix C**

County Operated Schools and Programs
 San Joaquin County Office of Education
 P.O. Box 213030, Stockton, CA 95213-9030
 209-468-4847

13. **No Academic Penalty for Excused Absence:** No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205, 48980(j))

A pupil shall be excused from school when the absence is:

- (a) Due to the pupil's illness.
- (b) Due to quarantine under the direction of a county or city health officer.
- (c) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- (d) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (e) For the purpose of jury duty in the manner provided for by law.
- (f) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a doctor's note.

- (g) For justifiable personal reasons, including but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- (h) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
- (i) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in section 49701 of the Education Code, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (j) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- (k) Authorized at the discretion of a school administrator based on the facts of the pupil's circumstances, which are deemed to constitute a valid excuse, including, but not limited to, working for a period of not more than five consecutive days in the entertainment or allied industries if the pupil holds a work permit, or participating with a not-for-profit performing arts organization in a performance for a public school pupil audience for a maximum of up to five days per school year provided the pupil's parent or guardian provides a written note to the school authorities explaining the reason for the pupil's absence. (Ed. Code, §§ 48260, 48205, 48225.5)

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.

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

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

"Immediate family," as used in this section refers to the parent or guardian, brother or sister, grandparent, or any relative living in the immediate household of the pupil. (Ed. Code, § 48205)

14. **Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

Compliance Coordinator
San Joaquin County Office of Education
P.O. Box 213030, Stockton, CA 95213-9030
209-468-9243

15. **Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs do not comply with state or federal law or regulations to:

Special Education Director
San Joaquin County Office of Education
P.O. Box 213030, Stockton, CA 95213-9030
209-468-4847

16. **Release of Student Information:** The District does not release information or records concerning a child to noneducational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information:

Name, address, telephone, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7) In accordance with state and federal law, the District may also make available photographs, videos, and class rosters.

Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c), 20 U.S.C. § 1232g, 42 U.S.C. § 11434a(2))

17. **Information Obtained from Social Media:** A school district that considers a program to gather or maintain in its records any information obtained through social media of any enrolled student shall notify students and their parents or guardians about the proposed program and provide an opportunity for public comment at a regularly scheduled public meeting of the Governing Board of the school district. The notification shall include, but is not limited to, an explanation of the process by which a student or a student's parent or guardian may access the student's records to examine the information gathered or maintained, and an explanation of the process by which a student or student's parent or guardian may request the removal of information or make corrections to information gathered or maintained. (Ed. Code, § 49073.6)

18. **Inspection of Student Records:** State law requires that the District notify parents of the following rights which pertain to student records. (Ed. Code, §§ 49063, 49069, 7;34 C.F.R. § 99.7)

(a) A parent or guardian has the right to inspect and review student records relating directly to his or her child during school hours or obtain a copy of such records within five (5) business days of his/her request.

(b) Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records.

(c) A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

- i. Inaccurate.
- ii. An unsubstantiated personal conclusion or inference.
- iii. A conclusion or inference outside of the observer's area of competence.
- iv. Not based on the personal observation of a named person with the time and place of the observation noted.
- v. Misleading.
- vi. In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code, § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

(d) A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Records Logs are located at the school office and are open to inspection by parents or guardians. (Ed. Code, § 49064)

(e) School officials and employees having a legitimate educational interest, as well as persons identified in Education Code sections 49076 and 49076.5 and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent, student, foster

(f) family agency, short-term residential treatment staff, or caregiver whose access to student records is legally authorized. A “legitimate educational interest” is one held by a school official or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code, §§ 49063(d), 49076, 49076.5; 20 U.S.C. § 1232g)

(g) Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.

(g) Parents and guardians will be charged (0) cents per page for the reproduction of student records.

(h) Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232g(g))

(i) Parents may obtain a copy of the District’s complete student records policy by contacting the Superintendent.

19. **Family Educational Rights and Privacy Act:** Parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached.

20. **Student Discipline:** District and school rules pertaining to student discipline are available to parents or guardians of district students in the school office. (Ed. Code, § 35291) Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during nonschool hours. (Ed. Code, § 48900(r))

21. **Dissection of Animals:** If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil’s parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. No student shall be discriminated against based upon his or her decisions to exercise his or her rights under this section. (Ed. Code, §§ 32255-32255.6)

22. **Temporary Disability:** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil’s parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil’s need for individualized instruction.

Home Instruction: The district in which the student resides is to provide individual instruction if the student is receiving the instruction in his or her home. Individual instruction in a pupil’s home pursuant to Education Code section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.

Hospital or Health Facility Instruction: The school district in which the hospital or other residential health facility, excluding a state hospital, is located must provide individual instruction to a student with a temporary disability. Within five working days of receipt of the notification, the district must

determine whether the pupil will be able to receive individual instruction, and, if so, when the individual instruction will begin. Individual instruction will commence no later than five working days after a positive determination has been rendered. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. A school district may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or residential health facility to facilitate the timely reentry of the pupil in his or her prior school after the hospitalization has ended, or in order to provide a partial week of instruction. On days in which the student is not receiving individual instruction in a hospital or other residential health facility, he or she may attend school in his or her district of residence if well enough to do so. A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that he or she attended immediately before receiving individual instruction, if returning during the same school year. (Ed. Code, §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48980(b))

Pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom shall be treated in the same manner and under the same policies as any other temporary disabling condition. (Ed. Code, § 221.51)

23. **Student Residency:** A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, § 48200); (2) the District has approved interdistrict attendance (Ed. Code, § 46600); (3) the student is placed in a regularly established children's institution, licensed foster home, or family home; (4) the student is a foster child who remains in his or her school of origin pursuant to Education Code section 48853.5(f) and (g); (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; (7) the student resides in a state hospital within the District; or (8) the student's parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the school district boundaries for a minimum of three days during the school week. (Ed. Code, § 48204). The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (Ed. Code, § 48204). A student also complies with the residency requirements for school attendance in a school district if he or she is a student whose parent is transferred or pending transfer to a military installation within the state while on active duty pursuant to an official military order. However, the parent must provide proof of residence in the school district within ten (10) days after the published arrival date provided on official documentation. (Ed. Code, § 48204.3) A student also complies with the residency requirement if the student's parent/guardians were residents of the state but departed California against their will if the student provides official documentation evidencing the departure of her/his parent/guardians against their will; that the student moved outside of California as a result of her/his parent/guardians departing California against their will, and that the student lived and was enrolled in school in California immediately before moving outside of California. (Ed. Code, § 48204.4)

24. **Attendance Options:** Students who attend schools other than those assigned by the District are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the District which the parent lives (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer). (Ed. Code, § 48980(h))

Parents interested in interdistrict or intradistrict transfers should contact their district of residence. The general requirements and limitations of each process are described as follows:

a. Choosing a School Within the District in Which Parent Lives: Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer. However, a district may consider special circumstances that might be harmful or dangerous to a particular pupil in the current attendance area of the pupil, including physical threats of bodily harm or threats to the emotional stability of the pupil documented by a state or local agency, licensed or registered professional, or court order.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide transportation assistance to a student who transfers to another school in the district under these provisions.
- **Victims of Bullying:** A school district of residence must approve an intradistrict transfer request for a victim of an act of bullying unless the requested school is at maximum capacity, in which case the district must accept an intradistrict transfer request for a different school within the district. A school district of residence may not prohibit the interdistrict transfer of a victim of an act of bullying if there is no available school for an intradistrict transfer and if the school district of proposed enrollment approves the transfer application. (Ed. Code, § 46600)
- A school district of proposed enrollment shall ensure that pupils admitted under this law are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether a pupil should be enrolled based on academic or athletic performance, physical condition, English proficiency, family income, or any of the individual characteristics set forth in Education Code section 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status.

b. Choosing a School Outside the District in Which Parent Lives: Parents have two different options for choosing a school outside the district in which they live. The two options are:

- i. Interdistrict Transfers (Ed. Code, §§ 46600–46610): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five

years each. The agreement must specify the terms and conditions under which transfers are permitted. The law on interdistrict transfers also provides for the following:

- Once a pupil is enrolled in a school pursuant to an interdistrict transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless revocation of the interdistrict transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.
- Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict attendance agreement. (Ed. Code, §§ 46600(b), 48900(r))
- If either district denies a transfer request, a parent 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.
- A school district of residence shall not prohibit the transfer of a student who is a homeless child or youth, a current or former migratory child, a foster youth, the victim of an act of bullying, or a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the transfer application.
- If a pupil is a victim of an act of bullying and his or her school district of residence has only one school offering his or her grade level, such that there is no option for an intradistrict transfer, the pupil may apply for an interdistrict transfer, and the school district of residence shall not prohibit the transfer if the school district of proposed enrollment approves the application for transfer. (Ed. Code, § 46600)
- A school district that elects to accept an interdistrict transfer pursuant to this subdivision shall accept all pupils who apply to transfer under this subdivision until the school district is at maximum capacity and shall ensure that pupils admitted under this subdivision are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a pupil should be enrolled based on his or her academic, performance, athletic performance, physical condition, proficiency in English, family income, actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), actual or potential parental, family, or marital status, pregnancy (including childbirth, false pregnancy, termination of pregnancy, or recovery therefrom), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics.
- Upon request of the parent on behalf of a pupil eligible for transfer pursuant to this subdivision, a school district of enrollment will provide transportation assistance to a pupil who is eligible for free or reduced-price meals. (Ed. Code, § 46600).
- A school district of enrollment may provide transportation assistance to any pupil admitted under this subdivision. (Ed. Code, § 46600(d)).

ii. “Allen Bill” Transfers (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district 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. Other provisions of Education Code section 48204(b) include:

- Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it is determined that there would be a negative impact on the district’s desegregation plan.
- The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student is encouraged to provide in writing to the parent the specific reasons for denying the transfer.

c. Districts of Choice (Ed. Code, §§ 48300-48317): The law allows, but does not require, each school district to become a “district of choice”—that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through an “unbiased process,” which prohibits district inquiries, evaluations, or consideration of enrollment based upon actual or perceived academic or athletic performance, physical condition, proficiency in English, any other personal characteristic as specified in Education Code section 200, and family income (except for purposes of determining attendance priority for students eligible for free or reduced-price meals). If the number of transfer applications exceeds the number of students the school board elects to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. Other provisions of the “district of choice” option include:

- A school 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 a student would be leaving 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.
- A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent or adopt policies to block or discourage students from applying for transfer to a school district of choice.
- 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.
- A school district of choice must give priority for attendance in the following order: 1) to siblings of students already attending school in the district; 2) to students eligible for free or reduced-price meals; and 3) to children of military personnel.

- A school district of choice must post application information on its Internet Website, including any applicable form, transfer timeline, and explanation of the selection process.
- A parent may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.

d. Transferring a Student Convicted of a Felony/Misdemeanor: Education Code section 48929 authorizes the governing board of a school district to transfer a student enrolled in the district who has been convicted of a violent felony as defined in Penal Code section 667.5 or misdemeanor listed in Penal Code section 29805 to another school within the district when the student and victim of the crime are enrolled in the same school. The governing board has adopted a policy regarding such transfers at a regular meeting pursuant to Education Code section 48929. The policy requires: 1) notice to be provided to the student and student’s parent or guardian of the right to request to meet with the principal or designee of the school or District; and 2) that the school first attempt to resolve the conflict before transfer by using restorative justice, counseling, or other services. The policy also includes information regarding whether the transfer decision is subject to periodic review and the procedure used to conduct the review, and the process the board will use to consider and approve or disapprove the recommendation of the school principal or other school or school district designee to transfer the student.

25. **Sexual Harassment Policy:** Each student will receive a written copy of the district policy on sexual harassment. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the District’s policy on sexual harassment is attached. (Ed. Code, §§ 231.5, 48980(g)) **Refer to Appendix D**

26. **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 the student’s desire to learn.

(c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his or her own time to follow his or her own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by the student’s teachers of choices of learning projects.

(d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.

(e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

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

and the principal's office in each attendance unit have copies of the law available for parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Ed. Code, § 58501)

27. **Nutrition Program:** The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. (Ed. Code, § 49510 et seq.)
28. **Leaving School Grounds:** All San Joaquin County Office of Education campus locations are closed campuses.
29. **Fingerprint Programs:** Not applicable to the San Joaquin County Office of Education County Operated Schools and Programs.
30. **Uniform Complaint Procedures:**

Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:

State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs., tit. 5, § 4620.)

Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (Ed. Code, § 32261.) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), actual or potential parental, family, or marital status, pregnancy (including childbirth, false pregnancy, termination of pregnancy, or recovery therefrom), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (Ed. Code, §§ 210-214, 220 et seq., 234 et seq.; Cal. Code Regs., tit. 5, § 4900 et seq.; 20 U.S.C. § 1681 et seq.; 29 U.S.C. § 794; 42 U.S.C. § 2000d et seq.; 42 U.S.C. § 12101 et seq.; 34 C.F.R. § 106.9) The District prohibits discrimination, harassment, intimidation, bullying, and retaliation in all acts related to school activity or attendance. In addition to being the subject of a complaint, a pupil engaging in an act of bullying as defined by Education Code section 48900(r) may be suspended from school or recommended for expulsion.

The District's Uniform Complaint Procedures may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650; Ed. Code, §§ 234 et seq., 48900(r))

(a) Any individual, public agency or organization has the right to file a written complaint alleging that he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, §§4610, 4630(b)(1))

(b) Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)

(c) Complaints must usually be filed with the superintendent/designee of the District.

(d) Discrimination complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the district superintendent or designee for an extension of up to ninety (90) days following the six (6) month time period. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, § 4630(b))

Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying:

The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

- (e) Written complaints may be made regarding:
 - i. Adult Education
 - ii. After School Education and Safety
 - iii. Agricultural Career Technical and/or Vocational Education
 - iv. American Indian Education Centers and American Indian Early Childhood Education
 - v. Bilingual Education
 - vi. California Peer Assistance and Review Programs for Teachers
 - vii. Consolidated Categorical Aid Programs
 - viii. Migrant Child Education Programs
 - ix. Every Student Succeeds Act (formerly No Child Left Behind)
 - x. Career Technical and Technical Education and Technical Training Programs
 - xi. Child Care and Development
 - xii. Child Nutrition
 - xiii. Compensatory Education
 - xiv. Consolidated Categorical Aid
 - xv. Economic Impact Aid
 - xvi. Special Education
 - xvii. “Williams Complaints”
 - xviii. Pupil Fees

- xix. Instructional Minutes for Physical Education
- xx. Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP)
- xxi. Pregnant and Parenting Pupils, including parental leave
- xxii. Student Parent Lactation Accommodations
- xxiii. Course Assignments already Completed or without Educational Content
- xxiv. Physical Education Instructional Minutes
- xxv. Foster Youth, Homeless Youth, former Juvenile Court School Student Services, Migrant Youth, and Pupils of Military Families
- xxvi. Regional Occupational Centers and Programs
- xxvii. Continued Education Options for Former Juvenile Court School Students
- xxviii. School Safety Plans
- xxix. School Plans for Student Achievement (SPSA)
- xxx. Tobacco-Use Prevention Education
- xxxi. Schoolsite Councils
- xxxii. State Preschool
- xxxiii. State Preschool Health and Safety Issues in Local Education Agencies Exempt From Licensing
- xxxiv. Any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code section 64000
- xxxv. Any other educational programs the Superintendent deems appropriate

(Cal. Code Regs., tit. 5, §§ 4610(b), 4622, 4630; Ed. Code, §§ 222, 4845.7, 8200-8498, 8500-8538, 32289, 33315, 33380-33384, 35186, 41500-41513, 46015, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 49490-49590, 49701, 51210, 51223, 51225.1, 51225.2, 51226-51226.1, 51228.1, 51228.2, 51228.3, 52060-52075, 52160-52178, 52300-52490, 52334.7, 52500-52616.24, 52800-52870, 54000-54029, 54400-54425, 54440-54445, 54460-54529, 56000-56867, 59000-59300, 64001; 20 U.S.C. §§ 1400, 4600, 6601, 6801, 7101, 7201, 7301 et. seq.; Health & Saf. Code, §§ 1596.792, 1596.7925, 104420)

Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed above. (Cal. Code Regs., tit. 5, § 4630(b)(1))

Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)

Complaints must usually be filed with the superintendent or designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630(b))

Within 60 days from the date of receipt of the complaint, the District's responsible officer or his/her designee shall conduct and complete an investigation of the complaint in accordance with local procedures adopted pursuant to California Code of Regulations, title 5, section 4621 and prepare a written decision. The time period may be extended by mutual written agreement of the parties.

- (f) Williams Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code, §§ 8235.5, 35186)
 - (i) Insufficient textbooks and instructional materials;
 - (ii) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils;
 - (iii) Noncompliance with the requirement of Education Code section 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products;
 - (iv) Teacher vacancy or misassignment; or
 - (v) Noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code section 1596.7925 and related state regulations.

A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction.

- (g) Pupil Fees Complaints: A pupil enrolled in our District shall not be required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Ed. Code, § 49010 et seq.)

A pupil fee includes, but is not limited to, all of the following: a fee charged to a pupil as a condition for registering for school or classes, as a condition for participation in a class or an extracurricular activity, as a security deposit to obtain materials or equipment, or a purchase that a pupil is required to make to obtain materials or equipment for an educational activity.

A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant not satisfied with the decision of the school may appeal the decision to the California Department of Education.

- (h) Foster, homeless, former juvenile court pupils and pupils in military families: the District will post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in Education Code sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Responsible Official: The District official responsible for processing complaints is listed below at the following address:

Operations Division Director
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
209-468-9061

Complaints Made Directly to the State Superintendent:

Complaints may be filed directly with the State Superintendent of Public Instruction in the following cases:

- (i) Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation.
- (j) Complaints regarding Child Development and Child Nutrition programs not administered by the District.
- (k) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
- (l) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
- (m) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
- (n) Complaints alleging immediate and irreparable harm as a result of applying a district-wide policy in conflict with state or federal law and that complaining at the local level would be futile.
- (o) Complaints relating to Special Education, but only if:
 - (i) The District unlawfully refuses to provide a free appropriate public education to handicapped students;
 - (ii) The District refuses to comply with due process procedures or fails to implement due process hearing order;
 - (iii) Children may be in immediate physical danger, or their health, safety or welfare is threatened;
 - (iv) A handicapped pupil is not receiving the services specified in his/her Individual Educational Program (IEP); or
 - (v) The complaint involves a violation of federal law.

- (p) The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.

(Cal. Code Regs., tit. 5, §§ 4630, 4650)

Appeals:

- (q) Except for Williams Complaints, a complainant may appeal the District's decision to the California Department of Education. (Ed. Code, § 262.3(a), Cal. Code Regs., tit. 5, §§4622, 4632)
- (i) Appeals must be filed within fifteen (15) days of receiving the District decision.
 - (ii) Appeals must be in writing.
 - (iii) Appeals must specify the reason(s) for appealing the District decision, including whether the facts are incorrect and/or the law has been misapplied.
 - (iv) Appeals must include a copy of the original complaint and a copy of the District decision.
 - (v) Pupil fee complaints appealed to the California Department of Education will receive a written appeal decision within 60 days of the department's receipt of the appeal.
 - (vi) If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District will provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
- (r) If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)
- (i) Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.
 - (ii) The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above -described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b); Cal. Code Regs., tit. 5, § 4622)

31. **Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the District's pupil-free staff development day and minimum day schedules is attached for reference. A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, § 48980(c))

32. **Review of Curriculum:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, §§ 49063, 49091.14)

33. **Transitional Kindergarten:** The District may admit a child, who will have his/her fifth birthday after December 2, to a transitional kindergarten at the beginning of or at any time during the school year with parental/guardian approval if:

- a. the governing board or body determines that the admittance is in the best interests of the child, and
- b. the parent/guardian is given information on the advantages and disadvantages and any other explanatory information on the effects of early admittance. (Ed. Code, § 48000)

34. **Pupil Find System; Policies and Procedures:** Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the Director of Student Services and/or Special Education, or his/her designee. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300 et seq. (Ed. Code, § 56301; 34 C.F.R. § 104.32(b))

35. **School Accountability Report:** Parents/guardians may request a hard copy of the School Accountability Report Card which is issued annually for each school of the District. (Ed. Code, § 35256)

37. **Asbestos Management Plan:** The current management plan for asbestos-containing material in school buildings is available at the District Office. (40 C.F.R. § 763.93)

38. **Assistance to Cover Costs of Advanced Placement Examination Fees:** The District may help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged students. (Ed. Code, §§ 48980(j) and 52242)

39. **Every Student Succeeds Act (ESSA):** The Every Student Succeeds Act (ESSA) took full effect in 2018 to replace the No Child Left Behind Act in modifying the Elementary and Secondary Education Act of 1965 (ESEA). If updates are provided by the California Department of Education, the following notice may change and new information may be added.

- **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the major or field of discipline for any degrees or certifications held by the teacher, and whether any instructional aides or

paraprofessionals provide services to the parents' child and, if so, their qualifications. In addition, parents have a right to notice when the parent's child has been taught for four or more weeks by a teacher who is not highly qualified. (ESEA § 1111(h)(6) (as amended by ESSA))

- **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. (ESEA § 1111(h)(6) (as amended by ESSA))
- **School Identified for School Improvement:** A local educational agency shall promptly provide notice to a parent or parents of each student enrolled in an elementary school or a secondary school identified for school improvement (school that fails for two consecutive years to make adequate yearly progress as defined in the State's plan), for corrective action or for restructuring. The notice will be in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. The notice will include an explanation of what the identification means; how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency; the reasons for the identification; an explanation of what the school identified for school improvement is doing to address the problem of low achievement; an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem; an explanation of how parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and an explanation of the parents' option to transfer their child to another public school (with transportation provided by the agency when required or to obtain supplemental educational services for the child). (ESEA § 1116(b)(6) (as amended by ESSA))
- **Limited English Proficient Students:** ESSA requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs (including content, instructional goals, and the use of English and native language); the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable; and, parent options for removing a student from a program, declining initial enrollment and/or choosing another program. (ESEA § 1112(g)(1)(A) (as amended by ESSA)) In addition, the notice shall include the following: (1) whether the student is a long-term English learner or at risk of becoming a long-term English learner; (2) the manner in which the program will meet the needs of long-term English learners or those at risk of becoming long-term English learners; and (3) the manner in which the program will help long-term English learners or those at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards (Ed. Code, §§ 313.2, 440; 20 U.S.C. § 6312))

The information provided above is available upon request from each student's school or the district office. Additional notices that may be required shall be sent separately. (20 U.S.C. § 6301 et seq.)

40. **Military Recruiter Information:** Education Code section 49073.5 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 parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address:

Student Services Director
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
209-468-4847

41. **Children in Homeless/Foster Care Situations, Former Juvenile Court School Students, Migrant Students, and Newcomers:** Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (Ed. Code, § 48852.5, 42 U.S.C. § 11432(g)(1)(J)(ii).) The District's liaison is the Foster Youth & Homeless Director and can be contacted at 209-468-4847.

A homeless child will be allowed to continue his/her education in their school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child's status changes before the end of the academic year so that he/she is not homeless, the District will allow a child in high school to continue his/her education in the school of origin through graduation. For a child in grades K through 8, the District will allow the formerly homeless child to continue his/her education in the school of origin until the end of the academic school year. A homeless child transitioning between school grade levels will be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district. The new school will be required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or moneys due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including medical records, proof of immunization history, and proof of residency. (Ed. Code, § 48852.7)

The District has designated the Foster Youth & Homeless Director as the educational liaison for foster children and can be contacted at 209-468-4847. The educational liaison shall disseminate a standardized notice to foster children that has been developed by the State Department of Education and includes complaint process information. (Ed. Code, § 48853.5)

A foster child shall be allowed to continue his/her education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including immunization history. The last school attended must provide all records to the new school within two business days of receiving the request. (Ed. Code, §§ 48853, 48853.5)

Upon receiving a transfer request or notification of a student in foster care, the District shall, within two business days, transfer the student out of school and deliver the educational information and records to the next educational placement. Grades and credits will be calculated as of the day the student left school and no lowering of grades will occur as a result of the student's absence due to the decision to change placement or for a verified court appearance or related court activity. (Ed. Code, § 49069.5)

The District shall exempt from local graduation requirements a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil participating in a newcomer program for recently arrived immigrant pupils and who transfers between schools under certain circumstances. (Ed. Code, §§ 51225.1, 51225.2)

The District shall accept coursework done by a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil in a newcomer program while attending another school. The District will not require those students to retake courses or partial courses they have satisfactorily completed elsewhere. (Ed. Code, § 51225.2)

A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District's Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

The District official designated as the educational liaison for homeless and foster children is listed below at the following address:

Foster Youth & Homeless Director
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
209-468-4847

43. **Continued Education Options For Juvenile Court School Students:** A juvenile court school student, or the person holding the right to make educational decisions for the student, may voluntarily defer or decline issuance of their diploma until after the student is released from the juvenile detention facility, thereby allowing the student to take additional coursework at a local education agency. The county office of education will notify the student, the person holding the right to make educational decisions for the student, and the student's social worker or probation officer of all of the following:
- (a) The student's right to a diploma;
 - (b) How taking coursework and meeting other educational requirements will affect the student's ability to gain admission to a post-secondary educational institution;
 - (c) Information about transfer opportunities available through the California Community Colleges; and
 - (d) The option to defer or decline the diploma and take additional coursework. (Ed. Code, §§ 48645.3(a), 48645.7)
44. **Sex Equity In Career Planning:** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (Ed. Code, § 221.5(d))
45. **Pesticide Products:** All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going to be applied, he or she must complete the attached form and return it to his or her child's school. A copy of the integrated pest management plan for the school site or District may be provided on the school website or viewed at the school office. (Ed. Code, §§ 48980.3, 17611.5, 17612) **Refer to Appendix E**

46. **Parent and Parenting Pupils:** Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. “Pregnant or parenting pupil” means a pupil who gives or expects to give birth or a parenting pupil who has not given birth and who identifies as the parent of the infant.

A pregnant or parenting pupil is entitled to eight weeks of parental leave. This leave may be taken before the birth of the pupil’s infant if there is a medical necessity and/or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. A pregnant or parenting pupil is entitled to additional leave if deemed medically necessary by the student’s physician. (Ed. Code, § 46015)

The person holding the student’s educational rights (i.e. the pupil if over 18 or the parent if under 18) may notify the school of the student’s intent to exercise this right. Leave may still be taken even if notice was not provided.

During the leave, the student’s absences shall be deemed excused, and the student shall not be required to complete academic work or other school requirements.

A pregnant or parenting pupil may return to the school and the course of study in which he or she was enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting pupil is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.

A pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil is reasonably able to complete its graduation requirements in time to graduate from high school by the end of the pupil’s fourth year of high school.

A student who chooses not to return to the school in which he or she was enrolled before taking the leave is entitled to alternative education options offered by the local educational agency to include educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

A student will not incur any academic penalties as a result of using the accommodations in this section. (Ed. Code, § 46015)

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures in accordance with Title 5 of the California Code of Regulations.

47. **Student Parent Lactation Accommodations:** The District is required to provide reasonable accommodations to a lactating student on a school campus to address breastfeeding needs. (Ed. Code, § 222)

A student may not be penalized academically because of the reasonable accommodations provided during the school day. A student must also be given the opportunity to make up missed work.

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

48. **PE Instructional Minutes:** The adopted course of study for grades 1 through 6 and instruction in grades 1 through 8 in an elementary school includes physical education for not less than 200 minutes each ten school days, exclusive of recesses and the lunch period. (Ed. Code, §§ 51210, 51223) A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

49. **Course Assignments:** The District is prohibited from assigning a student enrolled in any of grades 9 through 12 to any course period without educational content for more than one week in any semester, except under specified conditions. Under no circumstances will the District assign a student enrolled in any of grades 9 through 12 to a course period without educational content because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.1)

The District is prohibited from assigning a student enrolled in grades 9 through 12 to a course that the student has previously completed and received a grade determined by the District to be sufficient to satisfy the requirements and prerequisites for admission to the California public post- secondary schools and the minimum high school graduation requirements, except under specified conditions. Under no circumstances will the District assign a student enrolled in any of grades 9 through 12 to a course the student has previously completed and received a sufficient grade, as specified, because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.2)

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. The District may continue to authorize dual enrollment in community college, to run evening high school programs, and to offer independent study, work experience education, and other specified courses.

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 51228.3)

50. **Regional Occupational Centers and Programs/County Offices of Education Programs/Adult Education Programs:** A regional occupational center or program, county office of education program, or adult education program must meet specified requirements for certification by the Superintendent of Public Instruction in order to provide an employment training program for adults or to authorize an education program beyond secondary education that leads to a degree or certificate. (Ed. Code, § 52334.7)

A complaint alleging that a local agency violated federal or state laws or regulations governing adult education programs under Education Code section 52501 or regional occupational centers and programs may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. A complaint alleging that a county office of education violated federal or state laws or regulations governing the county office’s participation in any student financial assistance program authorized by Title IV may also be filed under the Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

51. **Pupil Fees:** A pupil enrolled in a public school will not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)

- (a) The following requirements apply to prohibited pupil fees:
 - (i) All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
 - (ii) A fee waiver policy shall not make a pupil fee permissible.
 - (iii) The Districts and its schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.

(iv) The District and its schools shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and the District and its schools shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the District or school.

(b) Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. The Districts and its schools, are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49010 et seq.)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 49013) **Refer to Appendix F**

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 amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

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 the parent or eligible student of the 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 FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is 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.

In addition, the Student Aid Commission may have access to the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when a student, or his or her parent or guardian if the student is under 18 years of age, “opts out” or is permitted by the rules of the Student Aid Commission to provide test scores in lieu of his or her GPA. (Ed. Code, §§ 69432.9, 69432.92) No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student’s parents/guardians if the student is under 18 years of age, that the student’s GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Ed. Code, § 69432.9)

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

“KNOW YOUR EDUCATIONAL RIGHTS” IMMIGRATION ENFORCEMENT FROM THE CALIFORNIA ATTORNEY GENERAL

Your Child has the Right to a Free Public Education

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students’ parents or guardians.
- In California:
 - All children have the right to a free public education.
 - All children ages 6 to 18 years must be enrolled in school.
 - All students and staff have the right to attend safe, secure, and peaceful schools.
 - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the student’s parent or guardian to demonstrate proof of child’s age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student “directory information.” If they do, then each year, your child’s school district must provide parents/guardians with written notice of the school’s directory information policy, and let you know of your option to refuse release of your child’s information in the directory.

Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child’s school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:

Bureau of Children's Justice
California Attorney General's Office
P.O. Box 944255
Sacramento, CA 94244-2550
Phone: (800) 952-5225
E-mail: BCJ@doj.ca.gov
<https://oag.ca.gov/bcj/complaint>

The Attorney General's publications can be downloaded at: <https://www.oag.ca.gov/bcj>

Student Conduct Code

Dear Parent/Legal Guardian/Caregiver/Adult Student:

County Operated Schools and Programs (COSP) administration, teachers, and staff strive to create positive educational settings that are safe and productive for all students. Students in **COSP** are expected to adhere to a strict code of conduct while at school or any school sponsored event. Students are expected to follow all program and school rules at all times and **RESPECT THEMSELVES, OTHERS, AND THEIR PROPERTY**. Therefore, students should be aware of possible consequences for negative or inappropriate behavior. Disciplinary action taken by school officials is a direct consequence of unacceptable behavior by a student. The Superintendent has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his/her teacher and others in authority; be diligent in study; respectful to his/her teacher and others in authority; kind and courteous to classmates; and refrain entirely from the use of profane, vulgar, or abusive language. (CCR, Title 5, sec. 300).

Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic communication device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours.

Field trips, Quests, and school-sponsored events are considered to be part of the educational program. Participants/spectators carry responsibilities as representatives of their schools. All rules of the Student Conduct Code apply.

It is noted by your signature on the Consent Form-Acknowledgement of Parent/Legal Guardian/Caregiver/Adult Student of "Annual Rights Notification"/Handbook form, that you, as a parent/legal guardian/Caregiver/Adult Student, have read and understand the Student Conduct Code.

COSP is a **permissive program**. This means there is no legal requirement to enroll a student or to continue the enrollment of any student who:

- violates the rules stated in the Student Conduct Code,
- fails to achieve/meet minimum program expectations,
- otherwise presents himself/herself as a negative influence upon the program's other students or staff.

A STUDENT SHALL BE SUBJECT TO DISMISSAL IF ANY OF THESE SITUATIONS ARE EVIDENT.

SUSPENSION AND EXPULSION

GENERAL INFORMATION

A pupil shall not be suspended or expelled for any of the acts listed in Education Code 48900/48915 unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are listed in E.C.48900/48915 and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- while on the school grounds
- while going to or coming from school
- during the lunch period whether on or off the campus
- during, or while going to or coming from a school-sponsored activity

The Assistant Superintendent, Program Administrator, or designee may suspend a student from a school site for any of the acts listed in the following pages for not more than five consecutive school days.

- Students accumulating 20 days of in-school and/or home suspension are subject to involuntary transfer to another school.
- Students may be suspended on the first offense if it is determined that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.
- A student can be removed from the classroom and school site via suspension for any of the acts listed in the following pages for the day of the offense and any additional days deemed necessary by the site administrator based on the severity of the offense.
- Students may be denied the privilege of participation in all extracurricular activities during the period of the suspension or expulsion.
- Appropriate law enforcement authorities will be notified as required by law.

As defined under Education Code section 48925 (d), suspension means removal of a pupil from ongoing instruction for adjustment purposes. Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in this Student Conduct Code.

Parental involvement plays an important role in the resolution of classroom/program behavior problems. Site administrator or designee will communicate with parents/guardians when behavior problems arise.

OTHER MEANS OF CORRECTION (OMOC)

An individual committed an offense as defined in Education Code 48900 or 48915, was not suspended or expelled, but the matter was addressed with either no disciplinary action at all or other means of correction. Other means of correction includes but is not limited to:

- A conference between school personnel, the pupil's parent or guardian, and the pupil
- Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling
- Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents
- Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a [Section504] plan
- Enrollment in a program for teaching prosocial behavior or anger management
- Participation in a restorative justice program
- A positive behavior support approach with tiered interventions that occur during the school day or campus

- After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups
- Any of the alternatives described in Section 48900.6 [relating to “community service”]

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS) An

established systems approach focuses on creating and sustaining primary (school-wide), secondary (small group), and tertiary (individual) systems of support that improve lifestyle results (i.e., personal, health, social, family, work, recreation) for students and families. PBIS models integrate the following elements to address the needs of all students: decisions about the behavioral needs of students in the educational setting must be data-driven; all skill-building and professional development activities must be evidence-based; chosen strategies must be supported with structural supports and resources; and training, coaching, and evaluation should incorporate cultural and contextual lenses to maximize student outcomes.

RESTORATIVE PRACTICES (RP) A preventive, early response, disciplinary model intended to improve relationships among stakeholders, while minimizing punitive disciplinary measures that result in chronic absenteeism, and high suspension and expulsion rates. The majority of researchⁱ finds that a whole-school approach offers the most promising evidence of success by establishing common values and norms, promoting a sense of belonging to the school community, and building trusting relationships—leaving fewer students in crisis and reducing the need for punitive discipline by dealing with behavioral and inter-personal issues quickly and deeplyⁱⁱ. In addition, a 2012 report from the U.S. Attorney General’s office states that restorative practices are especially helpful for children and youth who engage in and are harmed by bullying.

PARENT AND FAMILY ENGAGEMENT

Mission: We will enhance the overall success of students, families, schools and the community, by providing families the opportunity to take part in their student’s education.

Vision: Our goal is to create a sustainable culture of positive relationships between home, school and the community. We will provide an environment where families are valued and all students learn to their fullest potential.

“The San Joaquin County Office of Education, County Operated Schools and Programs, holds true to the belief that a child’s education is a shared duty between parents, families, teachers, administrators, support staff and the community at large. Our promise is that by providing activities and programs that reflect our commitment to the overall success of our families, together, we will enhance our children’s academic success.”

Parents and caregivers have the opportunity to participate in the Parent Project ® parenting course throughout the year. This award winning course is designed to empower parents and help them change destructive adolescent behaviors. Parents will gain positive parenting skills that will increase their child’s attendance, grades and prosocial behavior. The course is offered throughout the school year. For additional information on this course, please reach out to the Family Engagement Specialist.



ⁱ Passarella, A. (2017). Restorative Practices in Schools: Prepared by the Open Society Institute Baltimore. Johns Hopkins School of Education Institute for Educational Policy. Retrieved from <http://www.attendanceworks.org>

ⁱⁱ Fronius, T., Persson, H., Guckenburg, S., Hurley, N., & Petrosino, A. (2016). Restorative Justice in U.S. Schools: A Research Review. San Francisco, CA: WestEd

GROUND FORS SUSPENSION/EXPULSION E.C. 48900

48900. A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or

personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

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

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school. **Refer to Appendix G**

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

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

(ii) A post on a social network Internet Web site, including, but not limited to:

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

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

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

(iii) An act of cyber sexual bullying.

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

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

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

(3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his

or her age with his or her exceptional needs.

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

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

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

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

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

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

(Amended by Stats. 2016, Ch. 419, Sec. 2.5. (AB 2536) Effective January 1, 2017.)

48900.3. In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)

48900.4. In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

(Amended by Stats. 2002, Ch. 643, Sec. 2. Effective January 1, 2003.)

48900.7. (a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and

specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.
(Added by Stats. 1997, Ch. 405, Sec. 1. Effective January 1, 1998.)

GROUNDS FOR EXPULSION E.C. 48915

48915. (a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

- (A) Causing serious physical injury to another person, except in self-defense.
- (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
- (C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
 - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- (D) Robbery or extortion.
- (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

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

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

(1) of subdivision

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

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

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

grounds:

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision

(m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.

(2) Brandishing a knife at another person.

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

- (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- (5) Possession of an explosive.

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

- (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
- (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
- (3) Is not housed at the schoolsite attended by the pupil at the time of suspension.

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

- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

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

(g) As used in this section, “knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ¹/₂ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term “explosive” means “destructive device” as described in Section 921 of Title 18 of the United States Code. (Amended by Stats. 2012, Ch. 431, Sec. 3. (AB 2537) Effective January 1, 2013.)

DISRUPTED OR WILLFULLY DEFYING VALID AUTHORITY 48900 (k)

Distribution or willfully defying valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties may include:

- leaving campus without permission
- failing to identify oneself
- forging, falsifying, altering or using forged school correspondence
- gambling and wagering
- loitering on or about any school campus
- unauthorized use of cellular telephone or any other electronic device, including taking pictures
- or other reasons a school administrator identifies as disruptive

PROHIBITION AGAINST TOBACCO USE E.C 48900 (h)

Students shall not possess, smoke, chew or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of San

Joaquin County Office of Education (SJCOE) employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time is also prohibited. These prohibitions do not apply to a student's possession or use of his/her own prescription products, or other FDA-approved cessation aids such as nicotine patches or nicotine gum.

Refer to Appendix H

DRESS CODE

Any attire/paraphernalia/symbol that displays a logo or other message relating to alcohol, tobacco, drugs, or gangs, may not be worn on campus or at school related activities. Any dress deemed inappropriate or distracting for the school setting may not be worn on campus or at a school related activity. This includes, but is not limited to, gang affiliated colors in clothing and accessories. A student who violates the dress code shall be subject to appropriate disciplinary action.

CELLULAR TELEPHONES OR USE OF ANY OTHER ELECTRONIC SIGNALING DEVICE

Cell phones or any other signaling device are not permitted at Discovery Challenge Academy.

PARENT LIABILITY

The parents/legal guardians/caregivers of any minor whose willful misconduct results in injury or death to any pupil or any person employed by, or performing volunteer services for, a school district or private school or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school district or private school, or personal property of any school employee, shall be liable for all damages so caused by the minor.

Any school district or private school whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of SJCOE authorized to make the demand may, after affording the pupil his or her due process rights, withhold the grades, diploma, and transcripts of the pupil responsible for the damage until the pupil or the pupil's parent or guardian has paid for the damages.

COSP shall notify the parent/legal guardian/caregiver of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma, or transcripts pursuant to this subdivision. When the minor and parent are unable to pay for the damages, or to return the property, the school district or private school shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released. (E. C. 48904)

DURING SUSPENSION

- 1) The student is expected to be under the supervision of a parent/legal guardian/caregiver during school hours when serving suspension days at home (7:30 am - 2:30 pm). The student shall not appear on or about any school during the period of suspension unless coming to the office on official business with the parent/legal guardian/caregiver and by prior arrangement with a school administrator.
- 2) Student is not to attend any school-sponsored event on or off any school campus during suspension. This is extended to include weekend and holiday activities, and would include, but not be limited to, field trips, athletic events, theater events, proms, dances, and band events.
- 3) If a student's suspension enters into an off session period, the consequences and restitution will be determined by an administrator.
- 4) Violation of suspension rules may result in a minimum consequence of a warning and a maximum

consequence of a referral to the appropriate law enforcement agency.

- 5) The teacher may require the suspended student to complete any assignments and tests missed during the suspension.
- 6) Instead of disciplinary action prescribed by this article, the Superintendent, Program Administrator or designee, may require a pupil to perform community service on school grounds during non-school hours. For the purposes of this section "community service" may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs.

Refer to http://www.sjcoe.org/COSP/Expulsion_Appeals.aspx for complete school policy including suspension and expulsion procedures as well as due process. Students and parents/legal guardians/caregivers have a right to appeal disciplinary action taken against a student. A meeting must be requested with the administrator/designee prior to any further appeal (E.C. 48914).

Confiscated materials will be returned to the parent/legal guardian/caregiver upon request. Confiscated materials may not be returned to students.

All students are responsible for all sections of the Student Conduct Code as stated. If you have questions or concerns about any of the information, or if you disagree with any student conduct code section, please telephone COSP at 468-4847.

STUDENT SUCCESS TEAM (SST)

SST meetings are held for students and attended by parents/legal guardians/caregivers, teachers, counselors, site administrator, and other school personnel, for the purpose of creating the best educational behavioral plan for the student. This process of intervention focuses on an individual student's academic and behavioral progress through communication among all parties.

STUDENT INTERNET ACCEPTABLE USE

Refer to Appendix J

Career Technical Education (CTE)

Welcome to the San Joaquin County Office of Education Career Technical Education (CTE). Our mission is to provide quality career development and workforce preparation to ensure student success and employability.

We want you to be successful in this program. Should you have any questions or concerns, please contact the CTE office at 468-9105.

WHAT IS CAREER TECHNICAL EDUCATION?

Career Technical Education (CTE) provides opportunities for students to gain the academic and technical skills, coupled with knowledge and necessary training to succeed in future careers and to be lifelong learners. CTE is a multiyear sequence of courses that integrates hands-on learning with occupational knowledge to provide a seamless pathway to postsecondary education and careers. SJCOE offers high quality courses, taught by experienced instructors, that provide industry certifications and potential internships for students.

CTE SCHOOLWIDE LEARNER OUTCOMES

- Students will understand how personal skill development affects their employability.
- Students will understand key concepts in group dynamics, conflict resolution, and negotiation.
- Students will exhibit critical thinking skills, logical reasoning, and problem solving.
- Students will understand the principles of effective communication.
- Students will understand occupational safety issues including the avoidance of physical hazards in the work environment.
- Students will understand career paths and strategies for obtaining employment within their chosen fields.
- Students will understand all aspects of the industry including management and finance, required technical and production skills; underlying principles of technology, labor, community, health, and environmental issues.

ACADEMIC GROWTH

To successfully master the course curriculum, students must: Be prepared for class with appropriate materials, participate in class activities, follow classroom procedures and complete assignments

ATTENDANCE

Daily attendance and promptness are absolutely essential at CTE to maintain enrollment and develop work habits that lead to successful employment. All students are to be in class each day and on time. It is the student's responsibility to notify their instructor before class begins if they will be absent.

DRESS CODE

Students are enrolled in a program that will prepare them for a future career. Appropriate attire is required for all programs. The instructor will give specific dress requirements.

CTE STUDENT TRANSPORTATION

CTE does not provide transportation. Some classes require transportation to off campus CTE classroom sites and for the purpose of a CTE internship. It is the student/parent responsibility to provide transportation. If you are a minor and will be driving to an off campus CTE classroom site or for the purpose of an CTE internship, a **Student Permission to Drive** form must be approved and on file with the CTE office. Minors are not permitted to transport other students.

INSTRUCTIONAL STAFF

Teachers are selected on the basis of business and industry experience in their field, as well as their academic education and teaching ability. They are also hired for their ability to care for and work with diverse student populations. All of our teachers have appropriate credentials as required by the California Education Code.

CURRICULUM

The San Joaquin County Office of Education Career Technical Education Program uses a curriculum that will enable the CTE teacher to provide the kind of learning experiences and opportunities for the student to achieve his/her educational objectives. Career preparation standard integrated lessons, assignments, and projects are centered on business related themes which bring real world application to the learning experience.

State model curriculum standards for CTE for grades 7-12 integrate the state's academic content standards with industry-specific knowledge and skills in 58 career pathways organized into 15 industry sectors:



Agriculture & Natural Resources



Hospitality, Tourism, & Recreation



Arts, Media & Entertainment



Information & Communication Technologies



Building & Construction Trades



Manufacturing & Product Development



Business & Finance



Marketing, Sales & Services



Education, Child Development, & Family Services



Public Services



Energy, Environment, & Utilities



Transportation



Fashion & Interior Design



Health Science & Medical Technology

The state's curriculum framework for CTE provides guidance in implementing the state content standards and provides guidance for implementing assessment standards.

360 Hour Course (Block Periods ranging from 100 -120 minutes)

- 5 Credits/Quarter
- 10 Credits/Semester

Stand-Alone CTE Programs and Courses

Duration, frequency, and requirements will be provided through course syllabus at enrollment. Varies by Program

Students that Enroll late (3 weeks after start date) or leave prior to completion

- Depends on course. 15 Hours = 1 Credit

Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or to enroll in career technical education courses, or both. Please contact: Julie Renteria Nunez at 468-9105

To learn more about CTE, please visit www.cde.ca.gov/ci/ct. To learn more about the career technical education classes, please visit the course catalog at: <https://drive.google.com/file/d/1Yv2iMgN2nnrWJfAO7TvDwFlkCpDRlSyq/view?usp=sharing>

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APPENDIX A

INSTRUCTION

Placement In Mathematics Courses

The Superintendent believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or a fulfilling career. To the extent possible, San Joaquin County Office of Education (SJCOE) students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

The Superintendent or designee shall work with SJCOE teachers, counselors, and administrators and the representatives of feeder schools to develop consistent protocols for placing students in mathematics courses offered at county-operated high school sites. Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, interim and summative assessments, placement tests that are aligned to state- adopted content standards in mathematics, classroom assignment and grades, and report cards.

Students shall be enrolled in mathematics courses based on the placement protocols. No student shall repeat a mathematics course which he/she has successfully completed based on the placement protocols of SJCOE.

When a student does not qualify to be enrolled in a higher level mathematics course based on a consideration of the objective measures specified in the placement protocols, he/she may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.

The placement protocols shall specify a time within the first month of the school year when students shall be reevaluated to ensure that they are appropriately placed in mathematics courses and shall specify the criteria SJCOE will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and his/her parent/guardian who disagree with the placement of the student may appeal the decision to the Superintendent or designee. The Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal. The decision of the Superintendent or designee shall be final.

SJCOE staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions.

The Superintendent or designee shall ensure that all teachers, counselors, and other SJCOE staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

Prior to the beginning of each school year, the Superintendent or designee shall communicate the commitment of SJCOE to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors, and administrators.

This policy and the mathematics placement protocols of SJCOE shall be posted on the SJCOE web site.

Annually, the Superintendent or designee shall review student data related to placement and advancement in the mathematics courses offered at county-operated high school sites to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The Superintendent or designee shall also consider appropriate recommendations for removing any identified barriers to students' access to mathematics courses.

- cf.* 0410 Nondiscrimination in Programs and Services
4131 Staff Development
5121 Grades/Evaluation of Student Achievement
5123 Promotion and Retention
6143 Courses of Study
6146.1 High School Graduation Requirements

Legal Reference:

EDUCATION

CODE

200-262.4 Prohibition of discrimination

48070.5 Promotion and retention; required policy

51220 Areas of study, grades 7-12

51224.5 Completion of Algebra I or Mathematics I

51224.7 California Mathematics Placement Act of 2015

51225.3 High school graduation requirements

51284 Financial

literacy

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

(12/

15)

Appendix B

CAASPP Testing
5 CCR § 852
§ 852. Pupil Exemptions.

(a) Each year the LEA shall notify parents or guardians of their pupil's participation in the CAASPP assessment system in accordance with Education Code section 60604.

(b) The notification to parents or guardians, as defined in subdivision (a), shall include a notice of the provisions outlined in Education Code section 60615.

(c) A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of any test provided pursuant to Education Code section 60640 for the school year. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil's records. An LEA and its employees may discuss the CAASPP assessment system with parents and may inform parents of the availability of exemptions under Education Code section 60615. The LEA and its employees shall not solicit or encourage any written exemption request on behalf of any child or group of children.

Note: Authority cited: Sections 33031 and 60640, Education Code. Reference: Sections 60604, 60605, 60607, 60612, 60615, 60640 and 60641, Education Code.

Appendix C

STUDENTS

Parent Rights and Responsibilities

The Superintendent recognizes that parents/guardians of San Joaquin County Office of Education (SJCOE) students have certain rights as well as responsibilities related to the education of their children.

The Superintendent believes that the education of the SJCOE's students is a shared responsibility. The Superintendent or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians, school staff and students for continuing the intellectual, physical, emotional and social development and well-being of students at each program site, including the means by which the county-operated program and parents/guardians can help students achieve academic and other standards of the program.

Within this framework, the SJCOE's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the SJCOE and county-operated programs.

Parents/guardians shall have the opportunity to work with county-operated programs in a mutually supportive and respectful partnership and to help their children succeed in school.

The Superintendent or designee shall ensure that SJCOE staff understand the rights of parents/guardians afforded by law, Superintendent policy, and Administrative Regulation and follow acceptable practices that respect those rights.

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights in accordance with law.

The Superintendent or designee shall take all reasonable steps to ensure that all parents/guardians who speak a language other than English are properly notified in English, and in their home language of the rights and opportunities available to them pursuant to Education Code 48985.

cf:

4131 Staff Development

4231 Tuition Reimbursement

5145.6 Notifications to Parents and Students

6020 Parent Involvement

Legal Reference:

EDUCATION CODE:

33126 School accountability report card
35291 Disciplinary rules
48070.5 Promotion and retention of students
48985 Notice to parent in language other than English
49091.10-49091.19 Parental review of curriculum and instruction
49602 Confidentiality of pupil information
51100-51102 Parent/guardian rights
51513 Personal beliefs
60510 Disposal of surplus instructional materials

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act
1232h Protection of pupil rights
(11/02)

STUDENTS

Parent Rights and Responsibilities

Parent/Guardian Rights

The rights of parents/guardians of the San Joaquin County Office of Education (SJCOE) students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled or for the purpose of selecting the SJCOE program in which their child will be enrolled

Parents/guardians may observe instructional and other program activities that involve their child in accordance with Superintendent policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of SJCOE staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Superintendent policy and administrative regulations.

2. To meet, within a reasonable time of their request, with their child's teacher(s) and the program administrator or designee
3. Under the supervision of SJCOE employees, to volunteer their time and resources for the improvement of SJCOE facilities and programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher
4. To be notified on a timely basis if their child is absent from the county-operated program without permission
5. To receive the results of their child's performance and the program's performance on standardized tests and statewide tests

For parents/guardians of English learners, this right shall include the right to receive the results of their child's performance on the English language development test.

6. To request a particular program for their child and to receive a response from the SJCOE
7. To have a program environment for their child that is safe and supportive of learning
8. To examine the curriculum materials of the class(es) in which their child is enrolled

Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments stored by the classroom teacher, including textbooks teacher's manuals, films, tapes and software.

Each program site shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course.

The program may charge an amount not to exceed the cost of duplication.

9. To be informed of their child's progress in the program and of the appropriate program personnel whom they should contact if problems arise with their child
10. For parents/guardians of English learners, to support their child's advancement toward literacy

The Superintendent or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code 60510.

11. For parents/guardians of English learners, to be informed, through the school accountability report card, about statewide and local academic standards, testing programs, accountability measures and school improvement efforts
12. To have access to the program records of their child
13. To receive information concerning the academic performance standards, proficiencies or skills their child is expected to accomplish
14. To be informed in advance about program rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes and procedures for visiting the program site
15. To be notified, as early in the academic year as practicable pursuant to Education Code 48070.5, if their child is identified as being at risk of retention and of their right to consult with program personnel responsible for a decision to promote or retain their child and to appeal such a decision
16. To receive information about any psychological testing the program does involving their child and to deny permission to give the test
17. To refuse to submit or to participate in any assessment, analysis, evaluation or monitoring of the quality or character of the student's home life, any form of parental screening or testing, any non-academic home-based counseling program, parent training, or any prescribed family education service plan and to inspect any survey collecting personal information
18. To participate as a member of a parent advisory committee, school site council or site-based management leadership team in accordance with any rules and regulations governing membership in these organizations

For parents/guardians of English learners, this right shall include the right to participate in program and SJCOE advisory bodies in accordance with federal and state law and regulations.

19. To question anything in their child's record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the program
20. To provide informed, written parental consent before their child is tested for a behavioral, mental or emotional evaluation. A general consent, including medical consent used to approve admission to or involvement in a special education or remedial program or regular program activity, shall not constitute written consent for these purposes.

Parent Responsibilities

Parents/guardians may support the learning environment of their child by:

1. Monitoring attendance of their child
2. Ensuring that homework is completed and turned in on time
3. Encouraging their child to participate in extracurricular and co-curricular activities
4. Monitoring and regulating the television viewed by their child
5. Working with their child at home in learning activities that extend the classroom learning
6. Volunteering in their child's classroom(s) or for other program activities
7. Participating in decisions related to the education of their own child or the total program as appropriate

cf:

0420 Program-Based Management
0510 School Accountability Report Card
1220 Citizen Advisory Committees
1240 Classroom Volunteers
1250 Visits to the School
1312.2 Complaints Concerning Instructional Materials
1312.4 Williams Uniform Complaint Procedures
3270 Sale and Disposal of Books, Equipment and Supplies
3515 Workplace Safety and Safety
5022 Student and Family Privacy Rights
5113 Absences and Excuses
5117 Inter-district Attendance
5121 Grades/Evaluation of Student Achievement
5125 Student Records – Release of Directory Information
5123 Promotion/Retention
5131.6 Students and Substance Abuse
5132 Dress and Grooming of Students
5141.3 Health Examinations
5142 Safety
6020 Parent Involvement
6141 Curriculum Development
6145 Extra-curricular and Co-curricular Activities
6146.1 High School Graduation Requirements
6146.4 Individuals with Exceptional Needs
6146.5 Elementary/Middle School Graduation Requirements
6162.52 High School Exit Examination
6164.2 Guidance/Counseling Services
6164.4 Identification of Individuals with Exceptional Needs
6164.6 Identification and Education Under Section 504
6171 Chapter I: Court and Community School/Day Center Program
6174 Education for English Language Learners

(3/05)

Appendix D

STUDENTS

Sexual Harassment

The San Joaquin County Office of Education (SJCOE) recognizes that sexual harassment can cause embarrassment, feeling of powerlessness, loss of self-confidence, reduced ability to perform schoolwork, and increased absenteeism or tardiness. SJCOE also recognizes that sexual harassment, like other disruptive or violent behavior, is conduct that disrupts a student's ability to learn and the ability of SJCOE to educate its students in a safe environment. This policy applies to the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity or program.

This policy, and its accompanying administrative regulation, contains information about and procedures that will apply to sexual harassment complaints and retaliation resulting from a sexual harassment complaint in any activity or program filed by, or on behalf of, students at the site level. All complaints alleging discrimination and/or all other forms of harassment will be processed pursuant to 1312.3 - Uniform Complaint Procedure.

Definitions

Pursuant to definitions set forth in Education Code 252.5, the following categories of conduct are included within the scope of sexual harassment, which is a form of sexual discrimination.

Education Code 212.5 provides that prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

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

Sexual Harassment includes, but is not limited to, the following actions:

1. Verbal Harassment: Such as repeated, unsolicited derogatory comments or slurs, or continued request for social or sexual contact after being advised such is unwelcome.
2. Physical Harassment: Such as physical interference or contact which is unwelcome or which impedes normal work movement when directed at an individual.
3. Visual Harassment: Such as derogatory posters, cartoons, or drawings, staring, or leering.

4. Sexual Favors: Such as sexual advances which condition an educational benefit in exchange for sexual favors or which may be perceived as such.

The Superintendent or designee shall ensure that students annually receive age-appropriate information related to sexual harassment and the appropriate complaint procedure. Students shall be assured that they need not endure any form of sexual behavior or communication, including harassment because of sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school. Students complaining of sexual harassment shall not be required to work out the problem directly with the individual alleged to be harassing him/her.

Any student who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action, which may include suspension and/or expulsion.

Any employee who engages in, permits, or fails to report sexual harassment, shall be subject to disciplinary action up to, and including, dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

Obligations of All Employees

1. All employees (administrators, certificated staff, and classified staff) are responsible for familiarizing themselves with all SJCOE sexual discrimination policies and complaint procedures (including sexual harassment complaint procedures). Employees are responsible to be familiar with their duties in reporting incidents of sexual harassment which they observe or of which they otherwise have knowledge.
2. Within 24 hours of knowing of a complaint, employees shall report to the Director of Human Resources any conduct on the part of other employees or non-employees, such as sales representatives or service vendors, who sexually harass any student.
3. All employees shall cooperate with any investigation of an alleged act of sexual discrimination/harassment conducted by SJCOE or by an appropriate state or federal agency.
4. No employee of SJCOE shall take any action to discourage a victim of harassment from reporting such an instance. In addition, SJCOE prohibits any retaliation against the complaining party or other involved parties. Any person who violates this prohibition is subject to disciplinary action.
5. Because different procedures apply after a formal governmental administrative charge or complaint is filed, any supervisor receiving such a charge or complaint is directed to report it immediately to the Director of Human Resources.
6. Although it is the goal of this policy to identify and prevent sexually harassing behavior, if the problems and/or concerns arise, the affected student is urged to make use of the process set forth with the administrative regulation – AR 5145.7. However, any student has an absolute right to file a complaint with the Office of Civil Rights at any time within 180 days of the alleged harassment. (Office of Civil Rights, U.S. Department of Education, 50 Beale Street, Suite 7200, San Francisco, CA 94105. Phone (415) 486-5555)

Information on the sexual harassment policy and complaint procedure shall be annually disseminated to students, staff, and parents/guardians. All publications containing a summary of the policy will identify where the full policy can be obtained.

Students shall be informed that they should immediately contact a staff member if they feel they are being harassed. Within 24 hours, staff shall report complaints of sexual harassment to the Director of Human Resources. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The Director of Human Resources shall immediately investigate, or designate an individual to investigate, any report of the sexual harassment of a student. Upon verifying that sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment and on others in the campus community, and prevent any further instances of the harassment.

SJCOE prohibits retaliatory behavior against any complainant or any participant in the complaint process. All allegations of retaliation resulting from a sexual harassment complaint will be processed pursuant 5145.7 – Sexual Harassment. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

cf:

0410 Nondiscrimination in Programs and Activities
1312 Uniform Complaint Procedures
1312.1 Complaints Concerning Personnel
1312.3 Uniform Complaint Procedures
4031 Complaints Concerning Discrimination in Employment
4118 Suspension/Disciplinary Action
4119.11/4219.11/4319.11 Sexual Harassment
4119.23/4219.23/4319.23 Unauthorized Release of Confidential/Privileged Information)
4218 Dismissal/Suspension/Disciplinary Action
5125 Student Records
5131 Conduct
5131.2 Bullying
5131.5 Vandalism
5141.4 Child Abuse Reporting Procedures
5141.41 Child Abuse Prevention
5144.1 Suspension and Expulsion/Due Process
5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
5145.3 Nondiscrimination/Harassment
5145.7 Sexual Harassment

Legal Reference:

EDUCATION CODE

200-240 Prohibition of discrimination on the basis of sex, especially:
212.5 Sexual harassment
212.6 Sexual harassment policy
230 Particular practices prohibited
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion, sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20, 1681-1688

Title IX, 1972 Education Act Amendments

UNITED STATES CODE, TITLE 42

2000d & 2000e et seq. Title VI & Title VII, Civil Rights Act of 1964 as amended
Franklin v. Gwinnet County Schools (1992) 112 S. Ct. 1028
Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d
1447 Clyde K. v. Puyallup School District #3 (1994) 35 F.3d 1396
Oona R.-S. etc. v. Santa Rosa City Schools et al (1995) 890 F.Supp. 1452
Patricia H. v. Berkeley Unified School District (1993) 830 F.Supp. 1288
Rosa H. v. San Elizario Ind. School District, 887 F. Supp. 140, 143 (W.D. Tex. 1995)
Davis v. Monroe County Board of Education (1996, 11th Cir.) 74 F.3d 1186
Kelson v. City of Springfield, Oregon (1985, 9th Cir.) 767 F.2d 651

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 Nondiscrimination on the basis of sex in education programs

(3/12)

STUDENTS

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature 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:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's academic status or progress;
2. Submission to or rejection of the conduct by an individual is used as the basis for academic decisions affecting the individual;
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's academic performance; creating an intimidating, hostile, or offensive educational environment; or of adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of education or career development;
4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the San Joaquin County Office of Education (SJCOE).

Types of conduct which are prohibited throughout SJCOE and SJCOE-sponsored programs, whether committed by a supervisor, a teacher, another student, any other employee, or non-employee and which may constitute sexual harassment include, but are not limited to, the following actions:

1. Unwelcome leering, sexual flirtations or propositions;
2. Unwelcome sexual slurs, leering, 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, notes, stories, drawings, pictures, obscene gestures, derogatory posters, cartoons, or computer-generated images of sexual nature;
5. Spreading sexual rumors;
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class;
7. Massaging, grabbing, fondling, stroking, or brushing the body;
8. Touching an individual's body or clothes in a sexual way;
9. Purposefully cornering or blocking normal movements or any physical interference with a school activity when directed at an individual on the basis of sex;
10. Limiting a student's access to educational tools;
11. Displaying sexually suggestive objects;
12. Sexual assault, sexual battery, or sexual coercion;
13. Sexual comments, innuendoes, or slurs, oral or in writing, regarding a person's sexual orientation;
14. Verbal comments or taunting students for either exhibiting what is perceived as a stereotypical characteristic for the student's sex, or for failing to conform to stereotypical notions of masculinity or femininity;

15. Any act of retaliation against an individual who reports a violation of the SJCOE sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

All SJCOE personnel have the responsibility of maintaining an educational environment free of sexual harassment. This responsibility includes discussing the SJCOE sexual harassment policy when asked and assuring students that they are not required to endure sexually insulting, degrading, or exploitative treatment, or any other form of sexual harassment.

SJCOE will make its best effort to investigate and resolve all complaints within five working days of receiving notice of harassing behavior, regardless of whether a formal complaint has been filed. SJCOE 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.

Notifications

A copy of the SJCOE 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;
2. Be displayed in a prominent location near each school office;
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session;
4. Appear in any school or SJCOE publication that sets forth the comprehensive rules, regulations, procedures, and standards of conduct for SJCOE.

Complaints of sexual harassment and retaliation resulting from a sexual harassment complaint shall be handled in accordance with the following procedure:

Notice and Receipt of Complaint

Any student who believes he/she has been subjected to sexual harassment or who has witnessed such harassment may file a complaint with any employee. Within 24 hours of receiving a complaint, the employee shall report it to the Director of Human Resources. In addition, any employee who observes an incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Director of Human Resources, whether or not the victim files a complaint.

In any case of sexual harassment involving the Director of Human Resources, 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.

If the Director of Human Resources receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering 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.

Investigation of Complaint

1. The Director of Human Resources shall promptly initiate an impartial investigation of all complaints of sexual harassment within five school days after receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. In so doing, he/she shall talk individually with:
 - a. The student or parent/guardian who is complaining;
 - b. The person accused of harassment;
 - c. Anyone who saw the harassment take place;
 - d. Anyone mentioned as having related information.
2. When a student or parent/guardian has complained or provided information about sexual harassment, the Director of Human Resources shall describe the SJCOE complaint procedure and discuss what actions are being sought by the student in response to the complaint.
3. 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 ability of SJCOE to investigate.
4. The Director of Human Resources or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the Director of Human Resources or designee also may discuss the complaint with the following persons:
 - a. The Superintendent or designee;
 - b. The parent/guardian of the student who complained;
 - c. The parent/guardian of the person accused of harassing someone;
 - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth;
 - e. Law enforcement and/or child protective services;
 - f. Legal counsel for SJCOE.
5. The Director of Human Resources or designee 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. In cases of student-on-student harassment, when the student who complained, the person accused of harassment, and their parents so agree, the Director of Human Resources or designee 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 he/she shall be advised of the right to end the informal process at any time.

7. In reaching a decision about the complaint, the Director of Human Resources 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 past instances of harassment by the accused person;
 - e. Evidence of past harassment complaints that were found to be untrue.

To judge the severity of the harassment, the Director of Human Resources 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 number of persons involved in the harassing conduct and at whom the harassment was directed;
- d. The age and sex of the person accused of harassment, the student who complained, and the relationship between them;
- e. The subject(s) of harassment;
- f. The place and situation where the incident occurred;
- g. Other incidents at the school, including incidents of other types of harassment.

Written Report on Findings and Follow-Up

1. No more than 30 days after receiving the complaint under 5145.7-Sexual Harassment, the Director of Human Resources shall write a report of his/her findings, decision, steps taken during the investigation, and reasons for the decision and shall present this report to the student who complained and the person accused. The report should include the findings of fact based on the evidence gathered, the conclusion of law, disposition of the complaint, the rationale for such a disposition, and corrective actions, if any are warranted. The timeline for reporting the results may be extended for good cause. If an extension is needed, the Director of Human Resources or designee shall notify the student who complained and explain the reason for the extension.
2. The Director of Human Resources shall give the Superintendent or designee a written report of the complaint and investigation. If he/she verifies that sexual harassment occurred, this report shall describe the actions he/she took to end the harassment, address the effects of the harassment on the person harassed and the campus community, and prevent retaliation or further harassment.
3. The Director of Human Resources shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Director of Human Resources shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.
4. If an investigation of an allegation of sexual harassment against a student or employee reveals evidence of harassment by an employee or a student, SJCOE will pursue an investigation of that issue as well.

Enforcement

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

1. Removing vulgar or offending graffiti;
2. Providing staff in-service and student instruction or counseling about how to recognize harassment and how to respond;
3. Disseminating and/or summarizing SJCOE policies and procedures regarding sexual harassment;
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the response to parents/guardians and the community;
5. Notifying Child Protective Services;
6. Taking appropriate disciplinary action. In addition, the Director of Human Resources may take disciplinary measures against any person who is found to have made a complaint of sexual harassment that he/she knew was not true.

Superintendent's Designee

The Superintendent designates the Director of Human Resources for these procedures.

cf: 1312 Uniform Complaint Procedure
4118 Suspension/Disciplinary Action
4119.23/4219.23/4319.23 Unauthorized Release of Confidential/Privileged
Information 4131/4231/4331 Staff Development
5125 Student Records
5131 Conduct
5131.2 Bullying
5131.5 Vandalism and Graffiti
5144.1 Suspension and Expulsion/Due Process
5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
5141.41 Child Abuse Prevention and Reporting Procedures
5145.3 Nondiscrimination/Harassment
5145.6 Parent Notifications

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS
PUBLICATIONS Dear Colleague Letter: Harassment and Bullying, October 2010
(3/12)

Appendix E

HEALTHY SCHOOLS ACT OF 2000

Notice to all students, parents/legal guardians/caregivers, and employees of the San Joaquin County Office of Education.

Education Code section 17608 et seq. requires, among other things, that school districts notify parents/legal guardians/caregivers and staff about the use of pesticides at school. The purpose is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The San Joaquin County Office of Education expects to use the following pesticides at its campuses during the upcoming year: Pesticide Name E.P.A. Reg. Number Active Ingredient(s)

Name	EPA#	Description
BASF Selontra Rodent Bait	7969-382	Cholecalciferol .075%
Bell labs Contract w/Lumitrac	12455-133	Bromadiolone 0.005%
FMC Talstar Professional	279-3206	Bifenthrin 7.9%
Bayer Temprid FX	432-1544	Imidacloprid 12.0%
BASF Termidor SC	100-1501	Indoxacarb 20.0%
Syngenta Patrol	100-1066	Lambda-cyhalothrin 9.7%
Syngenta Advion Ant Gel Bait	100-1498	Indoxacarb .05%
Syngenta Advion Cockroach Gel Bait	100-1484	Indoxacarb .06%
Syngenta Optigard Ant Gel bait	100-1260	Thiamethoxam 0.010%
PT Wasp-Freeze II	499-550	Prallethrin 0.1%

*No other pesticide are to be used unless an exemption is granted by the individual school

**Exterior Spray treatment may not be done when children are present

Pesticide Services provided by **Orkin®** Pest Control. See the attached list of pesticides that may be used for the current school year. *

Parents/legal guardians/caregivers of the San Joaquin County Operated Schools and Programs can register with the County's designee, Rachel Elias, to receive notification of individual pesticide applications by calling (209) 468-9044. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department's web-site at www.cdpr.ca.gov.

CHEMICAL PESTICIDE NOTICE

COUNTY: San Joaquin

Dear Customer:

Thank you for selecting **ORKIN PEST CONTROL** to perform your pesticide application requirements. In accordance with the laws and regulations of the State of California we are required to provide you with the following information prior to application of pesticides to your property. Please take a few moments to read and become familiar with the content.

"State law requires that you be given the following information: CAUTION- PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Operators are licensed and regulated by the Structural Pest Control Board and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation. Registration is granted when the state finds that based on existing scientific evidence, there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

Check (v) box that applies

SEE YOUR ORKNI SERVICE AGREEMENT FOR ANY OTHER PESTS TO BE CONTROLLED.

The pesticides to be used are:

Wasp Freeze (Prallethrin)	Selontra (Cholecalciferol)	Ditrac (Diphacinone)
Temprid FX (Imidacloprid)	Termidor (fipronil)	Patrol (Lambda-cyhalothrin)
Talstar Pro (bifenthrin)	Advion Ant gel bait (Indoxacarb)	Advion Cockroach gel bait (Indoxacarb)
Optigard Ant gel bait (Thiamethomax)		

If within 24 hours following application you experience symptoms similar to common seasonal illness comparable to the flue, contact your physician or the poison control center and your pest control operator immediately. (Other symptoms not typical of influenza): Bleeding, eye irritation, skin irritation.

For further information contact any of the following:

ORKIN PEST CONTROL

Health Questions - County Health Dept.

for Application Information - County Agriculture Commissioner

for Regulatory Information – Structural Pest Control Board, Sacramento

or

Write to: Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California 95815

916.561.8708 800.737.8188.

Appendix F

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Student Fees and Charges

The Superintendent recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them. No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the San Joaquin County Office of Education (SJCOE) programs, including curricular and extracurricular activities.

As necessary, the Superintendent may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and charges, the SJCOE shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the program administrator using the SJCOE's procedures in SP/AR 1312.3 - Uniform Complaint Procedures.

The program administrator or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all SJCOE programs' students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against SJCOE requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures.

cf:

1312.3 Uniform Complaint Procedures
1321 Solicitation of Funds from and by Students
3100 Budget
3290 Gifts, Grants and Bequests
3515.4 Recovery for Property Loss or Damage
3553 Free and Reduced Price Meals
4112.9/4212.9/4312.9 Employee Notifications
5143 Insurance
5145.6 Parental Notifications

Legal Reference:

EDUCATION

CODE

8239 Preschool and wraparound child care services
8263 Child care eligibility
8760-8773 Outdoor science and conservation programs
17551 Property fabricated by students

19910-19911 Offenses against libraries
32033 Eye protective devices
32221 Insurance for athletic team member
32390 Fingerprinting program
35330-35332 Excursions and field trips
35335 School camp programs
38080-38085 Cafeteria establishment and use
38120 Use of school band equipment on excursions to foreign countries
39807.5 Payment of transportation costs
39837 Transportation of students to places of summer employment
48050 Residents of adjoining states
48052 Tuition for foreign residents
48904 Liability of parent or guardian
49010-49013 Student fees
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant aliens
60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted
4622 Notice

UNITED STATES CODE, TITLE 8

1184 Foreign students

(6/93) 11/12

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Student Fees and Charges

The San Joaquin County Office of Education (SJCOE) shall not require any student to pay any fees, deposits, or charges except as specifically authorized by law.

According to the California Constitution, the following fees and charges are permissible:

1. Insurance for athletic team members, with an exemption for financial hardship.
2. Insurance for medical or hospital service for students participating in field trips and excursions.
3. Expenses of students' participation in a field trip or excursion in connection with courses of instruction or program related social, educational, cultural, athletic, or school band activities, as long as no student is prohibited from making the field trip due to lack of funds.
4. School camp programs operated pursuant to Education Code 8760-8773 provided that the fee is not mandatory.
5. Personal property of the SJCOE fabricated by students, as long as the cost of the property does not exceed the cost of the materials provided by the SJCOE.
6. Home-to-school transportation and transportation between school and regional occupational centers, programs or classes, as long as the fee does not exceed the statewide average non-subsidized cost per student and so long as exemptions are made for indigent and disabled students.
7. Transportation to and from summer employment programs for youth.
8. Rental or lease of personal property needed for SJCOE purposes, such as caps and gowns used by seniors in graduation ceremonies.
9. Fees for Advanced Placement and International Baccalaureate Diploma examinations for college credit, so long as (1) taking the exam is not a course requirement; (2) the exam results have no impact on a pupil's grade or credit in a course; and (3) economically disadvantaged high school pupils who receive SJCOE funding towards the exam fee shall pay \$5.00 of the fee.
10. Fees for After School Education and Safety Programs, so long as no eligible student is denied the ability to participate because of an inability to pay the fee.
11. Fees for sale or lease of Internet appliances or personal computers to parents for the purpose of providing access to the SJCOE's educational computer network, at no more than cost, so long as the SJCOE provides network access for families who cannot afford it.
12. Deposit for band instruments, music, uniforms and other regalia which school band members take on excursions to foreign countries.
13. Fees for community service classes.
14. Eye safety devices, at a price not to exceed the SJCOE's actual costs.
15. Actual costs of duplication for copies of public records.
16. Actual costs of duplication for reproduction of the prospectus of school curriculum.
17. Actual cost of furnishing copies of any student's records except, if he/she is a former student, up to two transcripts or two verifications of his/her various records
18. Food sold at school subject to free and reduced price meal program eligibility and other restrictions specified in law.
19. Fines or reimbursements for lost or damaged SJCOE property or damage to library property.

20. Tuition for out-of-state and out-of-country residents.
21. Adult education books, materials, and classes as specified in law.
22. Fees for all or part of the cost of transportation for adult students.
23. Preschool and Child care and development services.
24. Parking on school grounds.
25. Charges for standardized physical education attire of a particular color and design, but there can be no mandate that the attire be purchased from the school or SJCOE, and no physical education grade of a student may be impacted based on the failure to wear standardized apparel “arising from circumstances beyond the control” of the student.
26. Charges for optional attendance as a spectator at school or SJCOE sponsored activities, or for “purely recreational” activities. (35 Cal.3d 899, 911, fn. 14.)

Fees Not Allowed

The Opinions of the Attorney General indicate that charges may not be levied for the following:

1. A deposit in the nature of a guarantee that the SJCOE would be reimbursed for loss to the SJCOE on account of breakage, damage to, or loss of school property.
2. An admission charge to an exhibit, fair, theater or similar activity for instruction or extracurricular purposes when a visit to such places is part of the SJCOE’s educational program.
3. A tuition fee or charge as a condition of enrollment in any class or course of instruction, including a fee for attendance in a summer or vacation school, a registration fee, a fee for a catalog of courses, a fee for an examination in a subject, a late registration or program change fee, a fee for the issuance of a diploma or certificate, or charge for lodging.
4. Membership fees in a student body or any student organization as a condition for enrollment or participation in athletic or other curricular or extracurricular activities sponsored by the school.
5. Charges to an apprentice, or his or her parents or guardian, for admission or attendance in any class pursuant to Section 3074 of the Labor Code.
6. Charges for textbooks and workbooks (except for adult classes).
7. Fees to process an inter-district transfer request by a pupil residing in another district.
8. Reimbursement for lost Average Daily Attendance revenue for absences from school.
9. Necessary supplies to include: art material for art classes and mechanical drawing sets; cloth for dressmaking classes; wood for carpentry classes; gym suits for physical education classes; bluebooks for a final examination; and paper on which to write a theme or report for a required assignment.

cf:

1340 Access to District Records
3550 Food Service/Child Nutrition Program
3551 Food Service Operations/Cafeteria Funds
3553 Free and Reduced Price Meals
3554 Other Food Sales
3515.4 Recovery for Property Loss or Damage
5142 Safety
5143 Insurance
6153 School-Sponsored Trips
6200 Adult Education
(6/93) 11/12

Appendix G

STUDENTS

Bullying

The San Joaquin County Office of Education (SJCOE) Operated Programs recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. County Office employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other 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.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, SJCOE policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

To the extent possible, SJCOE and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of SJCOE and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

SJCOE may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

SJCOE staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. Action may also involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with SJCOE uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

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.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with SJCOE policies and regulations.

- cf:
- 0420 School Plan/Site Council
 - 1220 Citizen Advisory Committees
 - 1312.3 Uniform Complain Procedures
 - 4131 Staff Development
 - 5131 Conduct
 - 5136 Gangs
 - 5138 Conflict Resolution/Peer Mediation
 - 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
 - 5145.2 Freedom of Speech/Expression

- 5145.3 Nondiscrimination/Harassment
 - 5145.7 Sexual Harassment
 - 6020 Parent Involvement
 - 6163.4 Student Use of Technology
 - 6142.8 Comprehensive Health Education

Legal Reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
- 32282 Comprehensive safety plan
- 35181 Governing board policy on responsibilities of students
- 35291-35291.5 Rules
- 48900-48925 Suspension or expulsion
- 48985 Translation of notices

PENAL CODE

- 647 Use of camera or other instrument to invade person's privacy; misdemeanor
- 647.7 Use of camera or other instrument to invade person's privacy; punishment
- 653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

- 254 Universal service discounts (e-rate)

(4/13)

Appendix H

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Tobacco-Free Schools

The Superintendent recognizes that the health hazards associated with smoking and the use of tobacco and nicotine products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

The Superintendent prohibits smoking and/or the use of tobacco products at any time in any San Joaquin County Office of Education (SJCOE) owned or leased buildings, on SJCOE property, and in SJCOE vehicles.

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off SJCOE property. Any written joint use agreement governing community use of SJCOE facilities or grounds shall include notice of SJCOE tobacco-free schools policy and consequences for violations of SJCOE policy.

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Tobacco products include:

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
3. Any component, part, or accessory of a tobacco product, whether or not sold separately.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patches or nicotine gum.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

cf: 1330 Facility Use Policy
3514 Safety
5131.62 Tobacco
6142.8 Smoke Free Education
6143 Courses of study

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definition

HEALTH AND SAFETY CODE

39002 Control of air pollution from non-vehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

104559 Tobacco use prohibition

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

(7/16)

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Tobacco-Free Schools

Information about San Joaquin County Office of Education's (SJCOE) tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community.

The Superintendent or designee may disseminate this information through annual written notifications, SJCOE web sites, student and parent handbooks, and/or other appropriate methods of communication.

The Superintendent or designee shall ensure that signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to SJCOE property.

Enforcement/Discipline

Any SJCOE employee or student who violates SJCOE's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

Any other person who violates SJCOE's policy on tobacco-free schools shall be informed of SJCOE's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave SJCOE property;
2. Request local law enforcement assistance in removing the person from SJCOE premises; and/or
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering SJCOE property for a specified period of time.

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to SJCOE or any SJCOE employee.

cf:

1250 Visits to the School
4112.9/4212.9/4312.9 Employee Notifications
4118 Disciplinary Action
4218 Dismissal/Suspension/Disciplinary Action
5144 Discipline
5144.1 Suspension and Expulsion/Due Process

(03/1)

INSTRUCTION

Tobacco

The Superintendent recognizes the serious health risks presented by tobacco and desires to ensure that, through adoption of consistent policies, students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

The Superintendent or designee shall provide prevention intervention, and cessation education, information, activities, and/or referrals to students and shall ensure consistent enforcement of San Joaquin County Office of Education (SJCOE) policies prohibiting student possession and use of tobacco products.

Prohibition Against Tobacco Use

Students shall not be possess, smoke, chew or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of SJCOE employees. Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Tobacco products include:

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
3. Any component, part, or accessory of a tobacco product, whether or not sold separately.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to SJCOE policy and regulation for addressing the administration of medications on campus.

Prevention Instruction

SJCOE shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which SJCOE participates.

Intervention/Cessation Services

SJCOE may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. When appropriate, such intervention services may be provided as an alternative to suspension for tobacco possession.

Program Planning

The SJCOE tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in SJCOE schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of SJCOE services.

The Superintendent or designee shall coordinate with the local health department in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, SJCOE staff,

representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

The Superintendent or designee also shall coordinate tobacco-use prevention and intervention program with other SJCOE efforts to reduce students' use of illegal substances and to promote student wellness.

The Superintendent or designee shall select anti-tobacco programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet SJCOE needs.

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity, which has received funding from the tobacco industry.

Program Evaluation

To evaluate the effectiveness of the program and ensure accountability by SJCOE, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the CDE if required, the data specified in Health and Safety Code 104450.

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

- cf:*
- 1220 Citizen Advisory Committee
 - 1325 Advertising and Promotion
 - 3290 Contributions and Gifts
 - 3513.3 Tobacco-Free Schools
 - 3514 Safety
 - 5022 Student and Family Privacy Rights
 - 5030 Student Wellness
 - 5131 Conduct
 - 5131.6 Student Substance Abuse
 - 5144 Discipline
 - 5144.1 Suspension and Expulsion/Due Process
 - 5141.2 Suspension and Expulsion/Due Process (Individuals with Exceptional Needs)
 - 5146 Married/Pregnant/Parenting Students
 - 6142.8 Smoke Free Education
 - 6143 Courses of Study

Legal Reference:

EDUCATION CODE

- 48900 Suspension or expulsion (grounds)
- 48900.5 Suspension, limitation on imposition; exception
- 48901 Smoking or use of tobacco prohibited
- 51202 Instruction in personal and public health and safety
- 60041 Instructional materials, portrayal of effects of tobacco use

BUSINESS AND PROFESSIONS CODE

- 22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education

104559 Tobacco use prohibition 119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment

6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20 7111-7117 Safe and Drug-

Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

(07/16)

INSTRUCTION

Tobacco-Use Prevention Education Program

San Joaquin County Office of Education (SJCOE) tobacco-use prevention program shall provide students in grades 6-12 instruction, which addresses the following topics:

1. Immediate and long-term undesirable physiologic, cosmetic, and social consequences of tobacco use;
2. Reasons that adolescents say they smoke or use tobacco;
3. Peer norms and social influences that promote tobacco use; and
4. Refusal skills for resisting social influences that promote tobacco use.

As appropriate, SJCOE shall provide or refer students in grades 7-12 to tobacco-use intervention and cessation activities.

These services shall be directed toward current users and shall be voluntary for students who desire assistance in ceasing the use of tobacco.

In addition to targeting students who currently use tobacco, SJCOE's program shall target students most at risk for beginning to use tobacco as identified through a local needs assessment.

SJCOE shall provide or refer every pregnant and parenting minor enrolled in SJCOE schools and/or programs to tobacco-use prevention services. Such services may be integrated with existing programs for pregnant and parenting minors and shall include:

1. Referral to perinatal and related support services;
2. Outreach services and assessment of smoking status;
3. Individualized counseling and advocacy services;
4. Motivational messages;
5. Cessation services, if appropriate;
6. Incentives to maintain a healthy lifestyle;
7. Follow-up assessment; and
8. Maintenance and relapse prevention services.

cf: 5131.6 Student Substance Abuse

5146 Married/Pregnant/Parenting Students

6142.8 Smoke Free Education

6143 Courses of Study

(07/09)

Appendix I

CALIFORNIA HIGH SCHOOL PROFICIENCY EXAMINATION

The California High School Proficiency Examination (CHSPE) is a testing program established by California law (*Education Code Section 48412*). If eligible to take the test, you can earn the legal equivalent of a high school diploma by passing the CHSPE. The CHSPE consists of two sections: an English-language Arts section and a Mathematics section. If you pass both sections of the CHSPE, the California State Board of Education will award you a Certificate of Proficiency, which by state law is equivalent to a high school diploma (although not equivalent to completing all coursework required for regular graduation from high school). Although federal agencies are not bound by state laws, the U.S. Office of Personnel Management has ruled that the Certificate of Proficiency shall be accepted in applications for federal civilian employment. The U.S. Department of Education and Federal Student Aid recognize the CHSPE as the equivalent of a high school diploma in applications for federal financial aid. All persons and institutions subject to California law that require a high school diploma for any purpose must accept the certificate as satisfying the requirement.

Passing the CHSPE does not, by itself, exempt minors from attending school. Minors who have a Certificate of Proficiency must also have verified parent/guardian permission to stop attending school. Many students who pass the CHSPE continue to attend school. State law provides that, if you leave school after passing the CHSPE and are no more than 18 years old, you may re-enroll in the district in which you were registered with no adverse consequences. If you do re-enroll you may be required to meet new or additional requirements established since you were previously enrolled. If you re-enroll and then leave school again, you may be denied re-admittance until the beginning of the following semester. Contact your guidance counselor or school administrator for further information and details about leaving school after passing the CHSPE.

Dropping out of school after registering for the CHSPE or while awaiting results is unlawful for those under 18 years old. It may also result in failing grades for courses in which you are enrolled.

For more information please visit <http://www.chspe.net> or contact your school counselor for assistance.

Appendix J

Student Acceptable Use Policy and Computer Use Agreement

E.6163.4

The San Joaquin County Office of Education and the San Joaquin County Office of Education Data Processing Joint Powers Authority, hereinafter referred to as the “district”, authorizes students to use technology owned or otherwise provided by the district as necessary for instructional purposes. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable policies, administrative regulations, and this Acceptable Use Policy and Computer Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all students to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

Each student who is authorized to use district technology and his/her parent/guardian shall sign this Acceptable Use Policy and Computer Use Agreement as an indication that they have read and understand the agreement.

Definitions

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (Wi-Fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Student Obligations and Responsibilities

Students are expected to use district technology safely, responsibly, and for educational purposes only. The student in whose name district technology is issued is responsible for its proper use at all times. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

1. Access, post, display, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive.
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying").
3. Disclose, use, or disseminate personal identification information (such as name, address, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person.
4. Infringe on copyright, license, trademark, patent, or other intellectual property rights.

5. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers).
6. Install unauthorized software.
7. "Hack" into the system to manipulate data of the district or other users.
8. Engage in or promote any practice that is unethical or violates any law or policy, administrative regulation, or district practice.

Privacy

Since the use of district technology is intended for educational purposes, students shall not have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, communications sent or received from district technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of district technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by a student on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access district technology, he/she shall abide by all applicable policies, administrative regulations, and this Acceptable Use Policy and Computer Use Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, he/she shall immediately report such information to the teacher or other district personnel.

Consequences for Violation

Violations of the law, policy, or this agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, policy, or this agreement may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Acceptable Use Policy and Computer Use Agreement and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Student ID: _____
(Please print)

School: _____ Grade: _____

Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Acceptable Use Agreement. By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet. I understand that, despite the district's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, district, and district personnel against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Name: _____ Date: _____
(Please print)

Signature: _____

Appendix K

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Firearms on School Grounds

The Superintendent is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, insurance carriers, and other appropriate individuals and agencies to address the security of school campuses.

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots.

If a San Joaquin County Office of Education (SJCOE) employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the administrator or designee and law enforcement.

The prohibition against the possession of firearms on school grounds shall be included in the SJCOE comprehensive safety plan and shall be communicated to staff, parents/guardians, and the community.

cf. 1112 News Media
3515 Campus Security
4158/4258/4358 Employee Security
5131.4 Student Disturbances
5131.7 Weapons and Dangerous Instruments

Legal Reference:

EDUCATION CODE

32281 Comprehensive safety plan
35160 Powers and duties of the board
38001.5 District security officers; requirements if carry firearm

PENAL CODE

626.9 Gun Free School Zone Act
830.32 District police department; district decision to authorize carrying of firearm
16150 Definition of ammunition
16520 Definition of firearm
26150-26225 Concealed weapons permit
30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

921 Definitions, firearms and ammunition
922 Firearms, unlawful acts
923 Firearm licensing

UNITED STATES CODE, TITLE 20

7151 Gun-Free Schools Act; student expulsions for possession of firearm (12/17)

Appendix L

San Joaquin County Office of Education Policy

SP 4119.21 (91)

4219.21 (91)

4319.21 (91)

ALL PERSONNEL

Professional Standards

The Superintendent expects San Joaquin County Office of Education (SJCOE) employees to maintain the highest ethical standards, exhibit professional behavior, follow superintendent policies and administrative regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of SJCOE and advance the goals of SJCOE's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of SJCOE students.

The Superintendent encourages SJCOE employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Staff Conduct with Students

The Superintendent expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

An employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the program administrator or Superintendent or designee. An employee who has knowledge of or suspects child abuse shall file a report pursuant to SJCOE's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse and Neglect.

Any employee who is found to have engaged in inappropriate conduct with a student in violation of the law or this policy shall be subject to disciplinary action.

Policy Adopted: Nov. 17, 1993

Policy Amended: August 23, 2011

San Joaquin County Office of Education

cf: 0200 Goals of the County Office of Education
0410 Nondiscrimination in Programs and Services
4112.2 Certification
4118 Classified Personnel: Disciplinary Action
4119.1/4219.1/4319.1 Civil and Legal Rights
4131/4231/4331 Staff Development
4218 Certificated and Classified Personnel: Dismissal/Suspension/Disciplinary Action
5131 Conduct
5141.4 Child Abuse and Neglect (Reporting Procedures)
6163.4 Student Use of Technology

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80331-80338 Rules of conduct for professional

Appendix M

INSTRUCTION

Parent Involvement

The San Joaquin County Office of Education (SJCOE) recognizes that parents/guardians are their children's first and most influential teachers and that sustained parental involvement in the education of children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall consult with parents/guardians and family members in the development of meaningful opportunities for them to be involved in SJCOE and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The SJCOE's local control and accountability plan shall include goals and strategies for parent/guardian involvement, including SJCOE efforts to seek parent/guardian input in SJCOE and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities.

The Superintendent or designee shall regularly evaluate the effectiveness of SJCOE's parent/guardian and family involvement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing SJCOE expectations and objectives for meaningful parent/guardian and family involvement in schools supported by Title I funding, developing strategies that describe how SJCOE will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members.

When the SJCOE's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Superintendent shall reserve at least one percent of the funding to implement parent/guardian and family involvement activities. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the SJCOE's Title I funds will be allotted for parent/guardian and family involvement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:

1. Support for schools and nonprofit organizations in providing professional development for SJCOE and school staff regarding parent/guardian and family involvement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members.
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school.
3. Dissemination of information on best practices focused on parent/guardian and family involvement, especially best practices for increasing the involvement of economically disadvantaged parents/guardians and family members.
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family involvement.
5. Any other activities and strategies that SJCOE determines are appropriate and consistent with this policy.

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family involvement policy in accordance with 20 USC 6318.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how SJCOE and schools will address the purposes and goals described in Education Code 11504.

- cf:* 0420 School Plans/Site Councils
0460 Local Control and Accountability Plan
1220 Citizen Advisory Committees
1230 School-Connected Organizations
1240 Volunteer Assistance
1250 Visitors/Outsiders
3100 Budget
6171 Title 1 : Court and Community School/Day Center Programs

Legal Reference:

Policy Adopted: Nov. 17, 1993
Policy Amended: July 1, 2019
San Joaquin County Office of Education

EDUCATION CODE

- 11500-11506 Programs to encourage parent involvement
- 48985 Notices in languages other than English
- 51101 Parent rights and responsibilities
- 52060-52077 Local control and accountability plan
- 54444.1-54444.2 Parent advisory councils, services to migrant children
- 56190-56194 Community advisory committee, special education
- 64001 Single plan for student achievement

LABOR CODE

- 230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

- 18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

- 6311 State plan
- 6312 Local educational agency plan
- 6314 Schoolwide programs
- 6318 Parent and family engagement
- 6631 Teacher and school leader incentive program, purposes and definitions

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.104 Definitions, auxiliary aids and services
- 35.160 Communications

(10/17)

INSTRUCTION

Parent Involvement

San Joaquin County Office of Education Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, SJCOE shall:

1. Involve parents/guardians and family members in the joint development of a SJCOE plan that meets the requirements of 20 USC 6312 and the development of school support and improvement plans pursuant to 20 USC 6311.

The Superintendent or designee may:

- a. In accordance with Education Code 52063, establish an SJCOE-level parent advisory committee to review and comment on the plan in accordance with the review schedule established and posted/shared with families;
 - b. Invite input on the plan from other SJCOE committees and school site councils;
 - c. Communicate with parents/guardians through newsletters, web site, or other methods regarding the plan and the opportunity to provide input;
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand;
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the County Board of Education's approval of the plan or revisions to the plan; and
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans.
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education.

The Superintendent or designee shall:

- a. Assist parents/guardians in understanding such topics as the challenging state academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help work with their children to improve their children's achievement;
- c. With the assistance of parents/guardians, teachers, specialized instructional support personnel, site administrators and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools;
- d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with federal, state, and local programs, including public preschool, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education;
- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand;
- f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request; and
- g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students.

In addition, the Superintendent or designee may:

- a. Adopt and implement model approaches to improving parent/guardian engagement;
- b. Develop appropriate roles for community-based organizations and businesses in parent/guardian engagement activities;
- c. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families;
- d. Provide a master calendar of SJCOE activities and SJCOE meetings;
- e. Provide information about opportunities for parent/guardian and family engagement through newsletters, web site, or other written or electronic means;
- f. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed;
- g. Provide training and information to members of SJCOE and school site councils and advisory committees to help them fulfill their functions;
- h. Provide ongoing SJCOE-level workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies;

- Provide training for the site administrators or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities;
- j. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement;
 - k. Assign person(s) at SJCOE to serve as a liaison to the schools regarding Title I parent engagement issues; and
 - l. Provide information to schools about the indicators and assessment tools that will be used to monitor progress.
3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws.

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements;
 - b. Involve SJCOE and school site representatives from other programs to assist in identifying specific population needs;
 - c. Schedule joint meetings with representatives from related programs and share data and information across programs; and
 - d. Develop a cohesive, coordinated plan focused on student needs and shared goals.
4. Conduct, with meaningful engagement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of:
- a. Barriers to participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
 - b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers; and
 - c. Strategies to support successful school and family interactions.

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request.

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of SJCOE communications;
 - b. Gather and monitor data regarding the number of parents/guardians and family members participating in SJCOE activities and the types of activities in which they are engaged; and
6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory committee comprised of a sufficient number and representative group of parents/guardians or family members served by SJCOE to adequately represent the needs of the population served by SJCOE for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy.

The Superintendent or designee may:

- a. Include information about school activities in SJCOE communications to parents/guardians and family members;
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members; and
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children.

The SJCOE's superintendent policy and administrative regulation containing parent engagement strategies shall be incorporated into the LEA plan and distributed to parents/guardians of students participating in Title I programs.

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. Such policy shall describe the means by which the school will:

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved.
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent engagement.
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the

school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314.

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs;
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards; and
 - c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians.
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to SJCOE.
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards.

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards;
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time; and
- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement;
 - (2) Frequent reports to parents/guardians on their children's progress;
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities; and

- (4) Regular two-way, meaningful communication between family members and school staff, and to the extent practicable, in a language that family members can understand.
- 7. Build the capacity of the school and parents/guardians for strong parent engagement by implementing the required activities described in items #2 in the section "SJCOE Strategies for Title I Schools" above.
- 8. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311 (h) in a format and language such parents/guardians can understand.

If the school has a parent engagement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements.

Each school's parent/guardian and family engagement policy shall be made available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the school's plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school.

San Joaquin County Office of Education Strategies for Non-Title I Schools

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

- 1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society.

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education;

- b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter; and
 - c. Provide parents/guardians with information about students' class assignments and homework assignments.
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home.

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits;
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing; and
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees.
3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities.

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students;
 - b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom;
 - c. Provide information about parent/guardian and family engagement opportunities through SJCOE, school, and/or class newsletters, the SJCOE's web site, and other written or electronic communications;
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand;
 - e. Develop mechanisms to encourage parent/guardian input on SJCOE and school issues;
 - f. Identify barriers to parent/guardian participation in school activities, including parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background; and
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or childcare.
4. Train teachers and administrators to communicate effectively with parents/guardians

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy; and
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications.
5. Integrate parent/guardian and family engagement programs into school plans for academic accountability.

The Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives; and
- b. Involve parents/guardians and family members in school planning processes.

(10/17)