

# Santa Clara Elementary School



Parent/Student Handbook  
2023-24

## Board of Trustees

President Deann Hobson  
Clerk Lynne Peterson  
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## District Administration

Tami Peterson  
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## School Administration

Kari Skidmore  
Principal/Superintendent

## School Staff

Kari Skidmore – Kindergarten/1<sup>st</sup>  
Natasha Burnell – Grades 2<sup>nd</sup> – 3<sup>rd</sup>  
Morgan Stowers - Grades 4<sup>th</sup> – 6<sup>th</sup>  
Monique de Senerpont Domis – Speech/Language Specialist  
– Psychologist  
Bridget Brokaw – Instructional Aide  
Rocio Zamora – Instructional Aide  
Haydee Berrington – School Secretary

## School Address

Santa Clara School  
20030 E. Telegraph Rd.  
Santa Paula, CA 93060  
(805) 525-4573  
Fax (805) 525-4985

## Schedule of Regular Board Meetings

Third Wednesday of each Month  
3:00 p.m.  
Santa Clara Elementary

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## Welcome to the Santa Clara School District

Welcome to the Santa Clara School District. This handbook is intended to help you and your children know more about us, our staff, special programs and the rules and regulations by which we operate. If, at any time during the school year, a question arises, please feel free to call the school.

The primary purpose of public education is to train children in various academic skills. This is accomplished by offering the basic tools for continued learning and placing emphasis on the whole child; emotional, social, intellectual, and physical development.

It is important that families and schools work together to help students achieve high academic standards. As partners, we ask that teachers, families, students, and community representatives agree upon the following roles and responsibilities that will support student success in school and in life.

### **STAFF PLEDGE:**

The Santa Clara School District staff will carry out the following responsibilities to the best of their ability:

- Teach classes through interesting and challenging lessons that promote student achievement and adhere to the California State Standards.
- Endeavor to motivate students to learn.
- Have high expectations and help every child to develop a love of learning.
- Communicate regularly with families about student progress.
- Provide a warm, safe, and caring learning environment.
- Provide meaningful, daily homework assignments to reinforce and extend learning (20 minutes for K, 30 minutes for grades 1-3, 45 minutes for 4-5 and 60 minutes for grade 6).
- Participate in professional development opportunities that improve teaching and learning and support the formation of partnerships with families and the community.
- Actively participate in collaborative decision making and consistently work with families and school colleagues to make school an accessible and welcoming place for families which help each student achieve the school's high academic standards.
- Respect the school, students, staff, and families.

### **STUDENT PLEDGE:**

As a student in the Santa Clara School District, I agree to carry out the following responsibilities to the best of my ability:

- Come to school regularly, on time and ready to learn and work hard.
- Bring necessary materials, completed assignments and homework.
- Know and follow school and class rules.
- Communicate regularly with my parents and teachers about school experiences so that they can help me to be successful in school.
- Limit my TV watching and instead study or read every day after school.
- Respect the school, classmates, staff, and families.

### **FAMILY/PARENT PLEDGE**

As parents and family of a Santa Clara School District student, we agree to carry out the following responsibilities to the best of our ability:

- Provide a quiet time and place for homework and monitor TV viewing.
- Read to my child or encourage my child to read every day (20 minutes for K, 30 minutes for grades 1-6.
- Ensure that my child attends school every day on time, gets adequate sleep, regular medical attention and proper nutrition.
- Regularly monitor my child's progress in school.
- Participate at school in activities such as school decision making, volunteering and/or attending parent-teacher conferences.
- Communicate the importance of education and learning to my child.
- Respect the school, staff, students, and families.

In accordance with the Improving America's Schools Act and Goals 2000, the Santa Clara School District provides supplementary instruction through the following special programs.

- REAP Grant
- Title II, Eisenhower Professional Development
- Special Education
- Speech and Language
- Technology
- Library
- Music
- Hot Lunch Program
- Artist in the Classroom

The School Site Council serves as the advisory council for the special programs. All parents are encouraged to participate.

We look forward to working with you and your child and hope that together we can provide the best educational experience possible for your child.

### **BOARD MEETINGS**

Board of Trustees meetings are held the third Wednesday of every month at 3:00 P.M. at Santa Clara School. \*Meetings are subject to change.

### **PARENT MEETINGS**

All parent meetings are listed on the monthly calendar sent home to each family. Flyers are also sent home with each child.

### **HOURS**

	Santa Clara			Santa Clara	
Kindergarten	8:15-12:00	p.m.	Grades 1-6	8:15-2:45	p.m.

The school offices are open from 8:00 a.m. - 4:00 p.m.

**All visitors and volunteers are required by law to sign in with the school office prior to entering the school grounds.**

## DISMISSAL

At dismissal time, your child's teacher will walk the students to the departure area. Students are to go directly home. Students are not allowed to exit gate without an adult. All students must be picked up on time.

**If a student will be picked up by someone other than who is on the emergency card, a written and signed note must be given to the office first thing in the morning or an email sent to the child's teacher and office.**

## STUDENT ARRIVAL

Parents who transport children to and from school and plan on staying are asked to park their cars *outside* of the school grounds and walk to the entrance. During school hours (8:15 - 2:45) **or when children are present**, vehicles must park outside of the campus so that there will be no vehicular movement in areas where students have access. Only employee vehicles are allowed on campus (inside the gates) during school hours.

Children should be taught and reminded occasionally of the dangers of talking to strangers. All children should be instructed to contact the police, school and/or parents immediately if questionable approaches are made at any time.

## DISASTER PLAN

1. Students will be held at school until released to an authorized adult.
2. In a **rare** instance, it may be determined prudent to:
  - Evacuate the students to another location. The local radio station KVEN, 1450AM will be notified, and notice of shelter location will be posted at the site being evacuated. Students will be held at the shelter site until released to an authorized adult
  - Return students to their home rather than retain them at school. It will be necessary for each child to have a specified destination and for the child to know where he/she is to go. Updated emergency cards are essential should it be necessary for students to leave school.

We will need each family's support and cooperation during any emergency. We share the responsibility for your child's safety and will do the best we can to ensure his/her safety.

**RETURNING TO SCHOOL:** When a pupil returns to school following an absence, **the parents must send a note or sending an email to the child's teacher and office, giving the reason for the absence.** If a pupil is going to be out for more than one day, a parent must call the school so that the teacher can be informed. Regular school attendance is very important for normal progress in school work. Students who miss more than **10 days** are at risk of non-promotion.

**STUDENT SIGN-OUT:** If a student will need to leave school before dismissal time, a written or email notice must be sent to the office in advance. The note must contain the reason and be signed by a parent. **Parents must go to the office to sign out the student, who can then be dismissed.**

**ADDRESS CHANGE:** The school office must be notified when you experience a change of address, phone number, doctor, sitter, or any question of guardianship and updated through Parent Connect.

**TARDINESS:** Students who are consistently tardy without a satisfactory excuse may be regarded as truant and reported to the School Attendance Review Board. **Students will receive a discipline referral notice when tardy three times within one year.**

## INTERDISTRICT ATTENDANCE AGREEMENT

The Santa Clara School District is prepared to enter into inter-district attendance agreements. Inter-district agreements with entering students will be valid for a period of one (1) year, unless terminated prior to the beginning of that school year. Inter-district agreement with exiting students must be renewed yearly.

The Superintendent or designee may approve interdistrict agreements for the following reasons:

1. To meet the child care needs of the student. Once a student has been admitted to a district school or feeder elementary schools on the basis of child care needs, continued attendance may be denied only when based on restrictions specified in Education Code 48204. (Education Code 46601.5)
2. To meet a child's special mental or physical health needs, as certified by a physician, school psychologist or other appropriate school personnel.
3. When the student has brother(s) or sister(s) attending school in a receiving district, to avoid splitting the family's attendance.
4. To complete a school year when parents/guardians have moved out of the district during that year.
5. To allow students to remain with a class graduating that year from an elementary, junior or senior high school.
6. When the parent/guardian provides written evidence that the family will be moving to the receiving district in the

- immediate future and would like the student to start the year in that district.
7. When the student will be living out of the district only for one year or less.
  8. When recommended by the School Attendance Review Board or by county child welfare, probation or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.
  9. When there is valid interest in a particular educational program not offered in the district of residency.

#### Revoking an Agreement

A student's interdistrict agreement may be revoked at any time by the district of attendance for the following reasons:

1. Student is excessively tardy or absent from school, or student is brought to school excessively early or picked-up excessively late.
2. Student fails to uphold appropriate behavior standards.
3. Student fails to make appropriate academic efforts.
4. False or misleading information was provided on the Inter-district Transfer Agreement and/or accompanying documentation.
5. Other conditions that occur that would render continuance inadvisable.

#### Denial of Interdistrict Transfer Agreement

The parent/guardian of a student who is denied a transfer requested pursuant to Education Code 46600-46611 shall receive timely notice, in accordance with law, regarding the process for appeal to the County Board of Education. This notice shall be provided by the district denying the request, or, in the absence of an agreement between the districts, by the district of residence.

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending, or during the term of the expulsion. (Education Code 46601)(cf. 5119 - Students Expelled from Other Districts)

### **HEALTH INFORMATION**

The school secretary/health clerk is the consultant for students concerning health problems. Contagious illnesses are quickly and easily spread at school. If your child has a sore throat, or any other illness of a contagious nature, please keep him/her home until he/she is well.

When a child complains of illness at school, his/her temperature is taken. If fever is apparent, we will call the parents to come and take the child home. If parents cannot be located, an alternate name listed on the child's emergency card will be called.

The school does not provide insurance to cover accidents which occur at school. However, a brochure describing a student accident insurance program will be distributed in the fall. This insurance may be obtained by the parents for a nominal fee.

Hearing and Vision Tests are given yearly to grades K, 2<sup>nd</sup> and 5<sup>th</sup>. You will be notified by the school when this is to occur. You must notify the school in writing if you do not want your child to be tested.

**IMMUNIZATION REVIEW:** All first grade students must have a physical exam and all students must have up to date immunizations when enrolling. The physical exam can be done by your physician or, if eligible, by a Health Department Clinic.

The Santa Clara School District requires that immunizations are verified by the school secretary or health clerk at school before a child can enter school. To verify the dates of immunizations, you must bring with you the health card from your doctor, Health Department, or an International Health Card which lists the immunization dates. It is the responsibility of the parent to keep immunization records current.

**MEDICATION:** The State Law and our District policy specifies that your child may never bring any type of medication to school without physician permission. **When a physician's permission in writing is granted for a current medical condition, the medication must be brought to the office where it will be administered under the supervision of our school secretary/health clerk or other designated staff as assigned by the administrator only.** This includes any type of pill, (aspirin, vitamins, cough drops, etc.) and all prescribed or over the counter medications. Your permission and the doctor's permission must be in writing for existing medical needs and would be kept on file at school. Include the name of the medication and the reason for its use. ***Medication must be and will only be accepted in the pharmacy labeled container.***

**EMERGENCY INFORMATION CARD:** Santa Clara School District maintains an emergency card in the office with pertinent telephone numbers and addresses listed. **It is extremely important that this card be kept up to date.** Please be certain there is always someone listed on the card with a current telephone number in the event we have to notify someone regarding an emergency or an accident. If there are any changes or additions during the year, please notify the office immediately.

## CURRICULUM

Santa Clara School District is proud of its excellent curriculum and well prepared teachers. Each child will receive instruction in reading, language arts, spelling, penmanship, math, social studies, science, physical education, music, art, technology and citizenship.

The school uses a variety of textbooks as recommended and mandated by the State Board of Education. The selection is made to meet the needs of the particular student's, class, or grade level.

## PHYSICAL EDUCATION

The Education Code requires that all pupils participate in physical education. The principal may excuse pupils for physical disability. Verification of such disability for prolonged periods of time is required from a licensed physician.

## REPORTING PERIODS

Santa Clara School District provides three reporting periods to coincide with the ending of each trimester of the school year (November 16, March 8, and June 13). At the end of the first and second trimester (October and March) minimum days are utilized to provide time for parent conferences. **These conferences are of great importance to ensure that your child, the home, and the school are doing everything possible to provide for a successful school year.**

## GRADING STANDARDS

Report card grades are assigned to reflect test scores and daily application of skills. The following percentages will be used for grading all work, except in those instances where 100% skill mastery is required for satisfactory performance.

<u>K - 2</u>		<u>3 - 6</u>	
E	= Excellent	90 - 100	A = Excellent
O	= Outstanding Progress	80-89	B = Satisfactory
S	= Satisfactory Progress	70-79	C = Improving
N	= Not Satisfactory - At risk of retention	60-69	D = Needs To Improve
I	= Insufficient Evidence - At risk of retention	59-Below	U = Unsatisfactory - At risk of retention
			I = Insufficient Evidence At risk of retention

**A = 4 points, B = 3 points, C = 2 points, D = 1 point, and U = 0 points**

**Honor Roll Guidelines:** Grades 3 - 6 -- 3.50-4.0 GPA

## HOMEWORK POLICY

Homework will be assigned Monday - Thursday at every grade level. It is intended to strengthen daily work in all subjects, complete unfinished classroom assignments or projects, and prepare for exams.

Homework assignments will be assigned with the following guidelines:

- K 20 minutes (and 20 minutes of reading literature).
- 1-3 30 minutes (and 30 minutes of reading literature).
- 4-5 45 minutes (and 30 minutes of reading literature).
- 6 60 minutes (and 30 minutes of reading literature)

Extenuating circumstances may prevent homework from being completed but must not become a habit. A note of explanation must be submitted to the teacher in the case of extenuating circumstances. Extenuating circumstances which become habitual will be addressed in a parent/student/teacher conference.

Completion of assignments is affected by how well the student: uses time, uses materials, listens to Directions, Follows Directions, Works Independently.



## FIELD TRIPS AND EXCURSIONS

Field trips are an enrichment activity of the regular curriculum. They are designed to be an educational as well as an enjoyable experience. All students are expected to represent Santa Clara School District in a respectable manner in dress and conduct during field trips and excursions. All parents attending field trips must sign in at the office and leave an emergency number. Siblings are not allowed on field trips.

## ASSEMBLIES

Assemblies for student recognition and enrichment are a regularly scheduled part of the curriculum and as such are designed to be educational experiences. They provide an opportunity in school to learn formal audience behavior. **The following are rules all good Santa Clara School District Students should follow:**

1. Students are to sit with their class during assemblies. Teachers will monitor behavior during all assemblies.
2. Enter the schoolhouse quietly and when the speaker steps up to speak, this is the signal to become quiet.
3. Show respect for speakers and assembly participants. The right kind of applause is important. (**no shouting, no whistling, no talking, and no inappropriate behavior at any time..**)
4. Enter and leave the assemblies in good order. If it is necessary to bring a chair, carry it correctly in front of you.

## CLASSROOM VISITATIONS OR VOLUNTEERING

We invite you to volunteer in your child's classroom. Volunteering in the classroom must be set up with the classroom teacher. It is important that we limit interruptions to instruction and ensure **safety** of the children, therefore, office personnel must identify all people entering the school grounds and give all visitors, volunteers, and non-school employees a **visitor or volunteer sticker**.

We ask you to observe the following regulation:

1. Obtain permission to visit through the office.
2. Enter and leave the room as quietly as possible.
3. Do not converse with the teacher during class time.
4. Limit your visit to 20 minutes.
5. Abide by the teachers guidelines for volunteering in the classroom.
6. Pre-school siblings are not permitted during the classroom visitation or volunteering
7. Do not attempt to hold a parent -teacher conference during visitation or volunteering. A parent-teacher conference may be arranged by appt. with the teacher.
8. Volunteers are expected to maintain confidentiality of student work and progress.
9. Visitation and volunteering rights will be prohibited if your presence creates an unsafe learning environment for the children.

**Impromptu drop-in visits to your child's classroom are prohibited because of the disruption it causes.**

## TELEPHONE CALLS AND MESSAGES FOR STUDENTS

To protect the students and teachers from interruptions and to make the best use of the limited telephone services available in schools, good judgment dictates some reasonable restrictions in the use of the school telephone. Neither teacher nor students can be called to the phone when classes are in session. Telephone messages to children should be avoided unless they are of an emergency nature. **Students are not permitted to make phone calls except in emergencies.** Forgotten books, assignments, and lunches are not considered emergencies.

### Cellular Phones

Students who bring cellular phones to school may not use them during school hours. The cellular phone must remain turned off and put away during school hours or they will be confiscated. This includes field trips. 1st offense- The cell phone/device will be confiscated and can be picked up by ONLY a parent/guardian from the office at the end of the day. If a cell phone contract is not on file, the parent will complete one when the phone is picked up from the office. 2nd offense- The cell phone/device will be confiscated and can be picked up by ONLY a parent/guardian from the office at the end of the day. Additionally, the student will be issued a detention. 3rd offense and beyond- The cell phone/device will be confiscated and can be picked up by ONLY a parent/guardian from the office at the end of the day. Additionally, the

student will be issued a detention. The student will turn in their phone at the office every morning and collect it at the end of the school day. The staff of Santa Clara Elementary School District will not be responsible for damages or loss of any personal electronic devices brought on school grounds

### **LOST CLOTHING**

Label all sweaters, jackets, coats and lunch pails, somewhere on the item for permanent identification. The school cannot be responsible for lost items because children do not recognize and/or claim items in the Lost and Found Box. Parents are welcome to come to the school and go through the Lost and Found items at any time during the school day. All unclaimed items are sent to the Salvation Army at the end of the month.

### **CLASSROOM PARTIES**

Santa Clara School District may have classroom parties for the following special occasion: Winter Holidays, Valentine's and End of School. Room Mothers will be asked to help the teachers with the special parties. The following guidelines must be followed:

- Parties will be held the last hour of the day prior to the special occasion. In the case of early dismissal the party will be the last hour of the day prior to early dismissal.
- No** excessive sweets. Chips, dips, salsa, crackers, cheese, veggies, fruit, cupcakes or cookies, are recommended.
- Arrangements must be made at least one week prior to the party
- Siblings are not to attend the parties.

### **BIRTHDAY CELEBRATIONS**

Birthdays are mainly celebrated in the home. The class may recognize birthdays through birthday charts or calendars or singing happy birthday. If you wish your child to share his/her birthday at school your child may bring a birthday gift of a book to present to his/her class or the school library. The book can be stamped using our birthday stamp in the front of the book recognizing this book as a gift to his/her class or the library from the child. This book becomes an ongoing reminder of the child's birthday as well as a class/school resource.

Please **do not** send food, balloons, etc. to celebrate the birthday. Food, etc. will not be distributed to the students. This takes valuable instructional minutes away from the children and some children may have food allergies. Please do not send birthday invitations to be passed out at school. This also takes away instructional time and can generate hurt feelings by those not invited

### **ITEMS THAT MUST STAY AT HOME**

Knives, sharp instruments, play guns, water pistols, toys, matches, caps, firecrackers, or any other explosive items are forbidden at school.

Items which are brought to school for show and tell in the lower grades must not be taken out of the classroom. Pets may not be brought for sharing.

### **SANTA CLARA SCHOOL DISTRICT SCHOOL-WIDE ASSERTIVE DISCIPLINE POLICY**

Santa Clara School District students, staff, parents, and community are proud of their school and want to maintain pride. The appearance and safety of the school is the responsibility of each student, staff member, parent, and community member. The discipline rules have been established to maintain a safe and healthy learning environment. All students are expected to follow the rules and take responsibility for the consequences of their behavior.

#### **CONSEQUENCES FOR INAPPROPRIATE BEHAVIOR:**

**K-6 Grade:** - The following consequences will be faced by individuals committing offenses:

**1st Warning** = Oral Warning

**2nd Warning** = Card Change.  
May be assigned special task

**3rd Warning** = Card Change.  
Parent contact with discipline referral  
May be assigned a special task

**4th Warning** = Card Change.  
Sent to Principal with discipline referral and time out for the rest of the period.

**5th Warning** = Sent to Principal with discipline referral and time out for the rest of the day or sent home for the remainder of the day.

**Special Tasks:** Special tasks may include but are not limited to:

- 5 minutes away from group.
- Or stay in 2-5 minutes after bell.
- Last in line for lunch or recess
- Benched for remainder of period or next free period.
- Trash detail for remainder of period and next free period.
  - Detention from special activity.
  - Other appropriate task.

Any pupil who willfully defies the rules and regulations, willfully cuts, defaces, or otherwise injures any property, real or personal, belonging to a school district is liable to suspension or expulsion, and the parent or guardian shall be liable for all damages so caused by such pupil. (California Education Code 16074)

#### **I. CLASSROOM RULES**

1. Show Up On Time.
2. Be Prepared.
3. Do Assignments.
4. Respect Yours and Others' Life Space

#### **II. Dress Code**

Student dress should reflect the respect, pride and standards of the student's home, school and community. **Any clothing or grooming which in the judgment of the administration may tend to create a disturbance, or is unsafe within the educational environment, will not be permitted. Students are permitted to wear articles of sun protective clothing outside, including but not limited to hats. (Education Codes 35183.5**

***Items of clothing that suggest "gang" affiliation are especially inappropriate and will not be permitted.***

Guidelines to be observed in determining appropriateness of clothing:

- Parents and students share a responsibility with the school to insure that the dress of the students is not disruptive to the learning environment.
- Clothing must fit appropriately. No thin spaghetti strap, see thru or short crop tops clothing is permitted.
- Wearing apparel must not interfere with the student's ability to perform assigned activities.
- Clothing and hair must be neat and clean.
- Shoes must be worn at all times. Sandals, and western style boots, or any shoes with heels are not allowed for health and safety concerns.
- NO wording or pictures on clothing with reference to gangs, alcohol, drugs, tobacco, sex, nudity, obscene, or suggestive language/gestures.
- Parents will be notified concerning individual situations and will be asked to bring a change of clothes and/or shoes.
- NO hats, baseball caps, beanies, hoodies or sunglasses are permitted to be worn in the classroom.
- ALL shoes and clothing must be appropriate for physical education.

#### **III. RESTROOMS**

It is the responsibility of every individual using the restrooms to care for the facilities by doing the following:

1. Use for restroom procedures only.
2. Do not loiter in restroom.
3. Do not put paper towels in toilets.
4. Do not throw toilet paper on the floor.
5. Do not throw wet paper on the floors, walls, and ceilings.
6. Do not throw water and soap on the floors, walls, and ceilings.
7. Do not write on the mirrors and walls.

#### **IV. YARD RULES**

**At all times on the Santa Clara School District School yards, students will:**

1. Follow all adult directions.
2. Stay in assigned areas.
3. Follow basic school rules;
  - no hands on
  - no name calling or insults
  - no unnecessary roughness

4. Line up when passing as a group to, enter classes, or for dismissal.
5. Absolutely no riding skateboards, skates, roller blades, or bicycles on school property.
6. No writing or drawing on school buildings.
7. Do not report to school before 8:00 a.m.
8. All students must be off the school grounds 15 minutes after their dismissal time unless they have prior permission to stay.
9. No chasing and playing in schoolhouse and/or restrooms.
10. No spitting on school property.
11. Students may **not** bring toys, earphones, radios, dvd or cd players, video games, weapons or items representing weapons to school.
12. Littering is prohibited.

#### V. **Equipment Rules**

1. Swings - One person per swing.  
Swinging in forward/backward directions only, no side-to-side.  
Sitting position only-no standing on swings.  
No jumping off of swings.  
All face the same direction.  
After 25 counts, the next person in line may swing.
2. No climbing to the top and jumping from equipment.
3. Slide - only one person at top - slide in a seated position - no walking up slide.
4. No jumping on or off the tire swing and only two (2) students may swing at a time
5. Helmets must be worn on the tricycles.
6. Playing catch - To be done on grass area only, no-hand ball against building walls.
7. Jump ropes are for jumping only - **do not**: play "horse".(tie each other up, whip each other).

#### VI. **Game Rules:**

1. No games involving extensive body contact may be played.
2. Four Square balls may not be kicked.
3. Stay behind backstop while waiting for your "ups".
4. Swing the bat only at home plate.
5. Drop your bat after hitting the ball instead of throwing it.
6. Stop playing when the signal bell is given to go in.

#### VII. **SCHOOLHOUSE RULES**

##### **While using the schoolhouse to eat students must:**

1. Follow all directions of adults in during lunchtime.
2. Eat only in assigned area.
3. Do not throw food, paper, or any other objects.
4. Leave own area clean.
5. Raise your hand if you need permission to leave your seat.
6. Students are excused one at a time when quiet and surrounding area is clean.
7. Trash is put in the trash cans as you leave.
8. Put your lunch containers by your classroom door when you are excused.

**Students must walk to schoolhouse in orderly lines & will be seated in assigned areas.**

#### VIII. **EATING ON CAMPUS**

Gum is not permitted.  
Eat snacks and lunches at the designated areas.

#### IX. **TARDIES - TRUANCY/ABSENCE**

1. A student who is not in his/her seat by the time class starts is considered tardy.
2. Re-admit notes on the day of return after the tardy must be signed by parent or guardian must be given to the office.
3. A tardy will be considered "excused" due to the student's illness; for the purpose of having medical, dental, optometric or chiropractic services rendered; or for justifiable reasons approved by the principal.
4. Three "unexcused" tardies in one school year will result in a discipline referral notice to parents and one for each "unexcused" tardy thereafter.

**X. TEXTBOOKS**

1. Students will be assigned textbooks for each subject.
2. Lost and damaged books must be paid for by the student assigned the book.

**XI. LIBRARY BOOKS**

1. Books must be returned before checking out a new book.
2. Lost or damaged library books must be paid for before checking out a new book.
3. K-3 1 Book      4-6 2 Books

**XII. SUSPENSION AND EXPULSION/DUE PROCESS**

**BP 5144.1**

**AR 5144.1**

The Governing Board 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.

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion.

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in administrative regulation.

**Zero Tolerance**

The Board supports a zero tolerance approach to serious offenses. This approach makes the removal of potentially dangerous students from the classroom a top priority. It ensures fair and equal treatment of all students and requires that all offenders be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, Board policy and administrative regulation as cause for suspension or expulsion.

The Superintendent or designee shall notify staff, students and parents/ guardians about the district's zero tolerance policy and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

**Student Due Process**

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and law. (Education Code 48911, 48915, 48915.5)

**On-Campus Suspension Program**

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

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

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the

principal or designee. (Education Code 48900.1)

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

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

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

#### Decision not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on case-by-case basis, pursuant to the requirements of law.

#### Suspension And Expulsion/Due Process Definitions

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the school of the district is in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

## Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980) Notification shall include information about the availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

### Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense (Education Code 48900(a))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties (Education Code 48900(k))
12. Knowingly received stolen school property or private property (Education Code 48900(l))
13. Possessed an imitation firearm, i.e., 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 (Education Code 48900(m))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))

16. Made terrorist threats against school officials and/or school property (Education Code 48900.7)
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. 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, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
19. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2) "Electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.
  - (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

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

20. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)
21. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)
22. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment (Education Code 48900.4)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

#### **Removal from Class by a Teacher/Parental Attendance**



A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7
3. State that if the parent/guardian does not have a means of transportation to school, he/she may come with the student
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

#### Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g), at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of

adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

\*\*\*Note: As amended by AB 17 (Ch. 57, Statutes of 1998), Education Code 48903 allows a district to count suspensions that have occurred in another district toward the maximum number of days a student may be suspended in any school year.\*\*\*

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

### **Suspensions shall be initiated according to the following procedures:**

#### **1. Informal Conference:**

Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent with the student and, whenever practicable, the teacher, supervisor or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911(c))

#### **2. Administrative Actions:**

All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior.

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

#### **3. Notice to Parents/Guardians:**

At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8).

In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

#### **4. Parent/Guardian Conference:**

Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved and any other pertinent matter. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

#### **5. Extension of Suspension:**

If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension

until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079.

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by certified mail. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

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 student causes a continuing danger to the physical safety of the student or others

#### Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student. Weapons possession expulsion may be for a year's duration, or in excess of one year for firearm possession.
3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058,

- except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
4. Robbery or extortion
  5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

#### Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a)).

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

### **Written Notice of the Expulsion Hearing**

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel
6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

### **Conduct of Expulsion Hearing**

1. **Closed Session:** Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11525. (Education Code 48918(i)) Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.

- (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

- (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room
- (3) The person conducting the hearing may:
  - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
  - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
  - (c) Permit one of the support persons to accompany the complaining witness to the witness stand

**6. Decision Within 10 Days:** The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

**7. Decision Within 40 Days:** If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing."

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (See "Decision Not to Enforce Expulsion Order below.")

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### **Final Action by the Board**

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for an act listed under "Mandatory Recommendation and Mandatory Expulsion"

above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review as well as assessment of the student at the time of review for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs

With parental consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

### **Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c) (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

### **Decision Not to Enforce Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.



4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education.
7. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(j)).

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site
3. Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

#### Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the

rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying re-admittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

#### Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

#### **Notifications to Law Enforcement Authorities**

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

#### Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion
2. The specific grounds for each recommended expulsion
3. Whether the student was subsequently expelled
4. Whether the expulsion order was suspended
5. The type of referral made after the expulsion
6. The disposition of the student after the end of the expulsion period

#### **XI. SEARCH AND SEIZURE**

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property.

School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or the school. The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure.

When possible, staff shall use a metal detector when searching an individual for weapons.

The parent/guardian of a student subjected to an individualized search shall be notified by the district as soon after the search as possible.

## **PARENT RIGHTS & RESPONSIBILITIES**

School districts in California are required to annually notify students, parents, and guardians of their rights and responsibilities. This is the annual notice to parents/guardians of students enrolled in the Santa Clara Elementary School District (hereinafter referred to as SCESD). This notice, which is required by Educational Code 48980, provides important information about federal laws and state education codes, as well as information relating to rights and responsibilities of parents or guardians of children. The abbreviation of "EC" that is found after the title of most sections refers to the California Education Code (EC).

Please review this information carefully as it applies directly to you and your child's participation in our schools. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school administrator. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the "Acknowledgment of Receipt and Review" form that is located at the bottom and return it to your child's teacher.

## **Rights and Responsibilities in Public Education**

### **Acceptable Use of Technology**

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

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

SCESD maintains and annually updates its management plan for asbestos- containing material in school buildings. For a copy of the asbestos management plan, please contact the District Office.

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

The following information is a summary of the attendance alternatives available to parents/guardians and their children and is intended to provide an overview of the laws applying to each alternative.

**Residency Requirements – EC 482000 and 48204, and 48204.3**-A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; a pupil residing in a state hospital located within the boundaries of the school district or a pupil whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order.

**Inter-district Attendance – EC 46600 et seq.** -The parent or legal guardian of a pupil may seek release from the school district of residence to attend a school in any other school district. School districts may enter into agreements for the inter-district transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an inter-district transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled. SCESD has entered into an agreement with other local district specifying

that the school of attendance may review transfers annually and reserve the right to revoke transfers for specified reasons. Regardless of whether an agreement exists or a permit is issued, the school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer.

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

**Intra-district Choice – EC 35160.5(b)** – SCESD is a one-school district with no grade level overlap, therefore, parents/guardians do not have the option of choosing another school within the district.

**District of Choice – EC 48300 *et seq.*** - Some school districts may choose to become a district of choice. A school board that elects to operate the school district as a district of choice must determine the number of transfers it is willing to accept and shall accept all pupils who apply to transfer until the school district is at maximum capacity. The school district of choice shall make sure that students are selected through an unbiased and random process that does not take into consideration his or her academic or athletic performance, physical condition, proficiency in English, family income, ethnicity, primary language, literacy, special needs, or any of the individual characteristics listed in Section 200. The parent of a pupil requesting to transfer must submit an application to the school district of choice no later than January 1 of the school year preceding the school year for which the student wishes to transfer. The parent shall be notified in writing by February 15 if the student was provisionally accepted, rejected, or placed on a waiting list. A modified application process is available for children of relocated military personnel.

**Availability of Prospectus – EC 49063 and 49091.14**

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

**Avoiding Absences, Written Excuses**

SCESD urges parents to make sure their children attend school regularly and to schedule medical and other appointments after school or during school holidays. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences.

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

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

**Truancy Definitions – EC 48260, 48262 and 48263.6** - A student is considered truant after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the school days in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205. The text of EC 48205 is provided on page 7.

**Arrest of Truants/School Attendance Review Board – EC 48263 and 48264** - The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse within the county, city or school district. A student who is a habitual truant may be referred to a School Attendance and Review Board (SARB).

**Chronic Absenteeism – EC 60901** - A student is considered a chronic absentee when he/she is absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and student engagement.

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

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

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

Parents and guardians of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident by contacting the Superintendent. Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

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

**Child Find System – EC 56301; 20USC1401(3); 1412(a)(3); 34 CFR 300.111(c)(d)**

The Ventura County Office of Education Special Education Local Plan Area (SELPA) established written policy and procedures for continuous child find system including children with disabilities who are migrant, homeless or wards of the state and children with disabilities attending private schools. Policy and procedures include written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment. For more information go to their website at [www.venturacountyselpa.com](http://www.venturacountyselpa.com).

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

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

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

**Concussion and Head Injuries – EC 49475**

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

**Confidential Medical Services – EC 46010.1**

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

**Custody Issues**

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

**Dangerous Objects**

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

**Directory Information – EC 49073** "Directory Information" includes one or more of the following items: student's name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. The District has determined that the following individuals, officials, or organizations may receive directory information: Santa Clara PTO, Health Department, and Elected Officials.

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

**Disaster Preparedness Educational Materials – EC 32282.5**

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

**Dress Code/Uniforms – EC 35183**

Refer to the school dress code guidelines in the Parent Handbook.

**Education of Foster Youth – EC 48204, 48853, and 48853.5, 51215.1, 51225.2**

Notice of educational rights of foster youth are posted at SCESD and posted on the website at [www.scesd.k12.ca.us](http://www.scesd.k12.ca.us).

**Education of Homeless Youth – 42 US 11432, EC 48853, 49069, 51225.1, 51225.2**

Notice of educational rights of homeless children are posted at SCESD and posted on the website at [www.scesd.k12.ca.us](http://www.scesd.k12.ca.us).

**Electronic Listening or Recording Device – EC 51512**

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

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

SCESD prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all District property at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin. Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code. Section 308 of the Penal Code also states that every person under 18 years of age who purchases, receives, or possesses any tobacco, cigarette, or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking of tobacco, tobacco products, or any controlled substance shall, upon conviction, be punished by a fine of seventy-five dollars (\$75) or 30 hours of community service work.

**Electronic Signaling Device – EC 48901.5**

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

**Emergency Treatment for Anaphylaxis – EC 49414**

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

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

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

**Excused Absences – EC 46014 and 48205**

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

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

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States Citizen.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

### **Family Educational Rights and Privacy Act (FERPA)**

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 request for access.

Parents or eligible students should submit to the School principal a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the School to amend a record should write the School principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to privacy of personally identifiable information 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 outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review and education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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, D.C. 20202-8520

For additional information, you may call 1-800-USA-Learn (1-800-872-5327).

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

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

### **Grounds for Suspension and Expulsion – EC 48900**

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

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.

(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.



- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 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 the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events. (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

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

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

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

- (i) A message, text, sound, video, or image
- (ii) A post on a social network Internet Web site, including, but not limited to:
  - (I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
  - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- (iii) An act of cyber sexual bullying.

(l) 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 judgement in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

(1) While on school grounds.

(2) While going to or coming from school.

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

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

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

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

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

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

**EC 48900.2. Sexual Harassment** In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5. For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

**EC 48900.3. Hate Violence** 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.

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

**EC 48900.5. Limitations on Imposing Suspension** Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons

**EC 48900.7. Terroristic Threats** (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.

**EC 48915. Circumstances for Recommending Expulsion** (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 school site 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

**Gun-Free School Zone Act – PC 626.9, 30310** California prohibits any person from possessing a firearm on, or within 1,000 feet from, the grounds of a public or private school, unless it is with the written permission of Superintendent. This does not apply to law enforcement officers, any active or honorably retired peace officers, members of the military forces of California or the United States, or armored vehicle guards engaged in the performance of, or acting in the scope of, their duties. A person may also be in possession of a firearm on school grounds if the firearm is unloaded and in a locked container or within the locked trunk of a motor vehicle. A violation of this law is punishable by imprisonment in a county jail for up to six months, a fine of up to \$1,000, or both imprisonment and fine.

**Harm or Destruction of Animals – EC 32255 *et seq.*** Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian. A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question

**Health Care Coverage – EC 49452.9** Your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance, contact the District Office or go to [www.CoverCA.com](http://www.CoverCA.com). Additionally, California law allows all low-income children under 19 years old, regardless of immigration status, to enroll in Medi-Cal at any time in the year. Families can apply in person at their local county human services office, over the phone, online, with a mail-in application, or at a local health center. For more information about Medi-cal enrollment, visit [www.health4allkids.org](http://www.health4allkids.org).

**Immunizations – EC 49403 and 48216; HSC 120325, 120335, 120365, 120370, 120375** Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing. Beginning January 1, 2016, parents of students in any school, will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7<sup>th</sup> grade. Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above. State laws requires the following immunizations before a child may attend school: (a) All new students, in transitional kindergarten through grade 8, to the SCESD must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, rubella, and varicella immunizations. (b) All transitional kindergarten and kindergarten students must also provide proof of vaccination against hepatitis B. (c) All seventh grade students must also provide proof of a second measles-containing vaccine, and a pertussis booster vaccine.

**Instruction for Pupils with Temporary Disabilities – EC 48206.3, 48207 and 48208** A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact the District office for further information. A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

**Medical or Hospital Service – EC 49472** SCESD does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

**Medication Regimen – EC 49423, 49480** The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse or school office of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil. Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and a written statement from the parent or guardian requesting the school district assist the pupil with prescribed medication as set forth in the physical statement.

**Megan's Law – PC 290 et seq.** Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

**Minimum and Pupil-free Staff Development Days – EC 48980(c)** Please refer to the school calendar for Minimum and Pupil-free Staff Development Days.

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

**Notice of Alternative Schools – EC 58501** California state law authorizes all school districts to provide for alternative schools. Education Code 58500 defines alternative school as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located. In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

**Oral Health Assessment – EC 49452.8**

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

**Pesticide Products – EC 17612 and 48980.3**

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

**Physical Examination – EC 49451; 20 USC 1232H**

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

**Property Damage – EC 48904**

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

**Pupil Meals – Child Hunger Prevention and Fair Treatment Act of 2017 – EC 49557.5**

SCESD has a Meal Charge Policy about how students who pay the full or reduced cost of a school meal are impacted by not having enough cash on hand or in their account to purchase a meal. For a copy of the policy, please contact the district office.

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

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records.

Parents/guardians have the right to 1) inspect and review the pupil's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access pupil records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a pupil seeks or intends to enroll, the District shall disclose educational records without parental consent.

Parents' request to access their pupils educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of pupil records are available to parents for a fee of no more than 10 cents per page.

Any challenge to school records must be submitted in writing to the school principal. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the pupil. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-8520.

**Release Juvenile Information – WIC 827, 831**

Juvenile court records should be confidential regardless of the juvenile's immigration status. Only if a court order is provided, will any student information be disseminated, attached or provided to federal officials. The court order must indicate prior approval of the presiding judge of the juvenile court. Otherwise, juvenile information is protected from distribution and remains private without a court order.

Whenever a pupil has been found by a court to have committed any felony or misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense, assault or battery, larceny, vandalism, or graffiti, the court will provide a written notice to the Superintendent of the school district of attendance. The superintendent will then provide the information to the principal at the school of attendance, who will disseminate the information to any administrator, teacher, or counselor directly supervising or reporting on the behavior or progress of the pupil, allowing them to work with the pupil in an appropriate manner.

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

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

#### **Safe Place to Learn Act - EC 234 and 234.1**

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

#### **School Accountability Report Card – EC 35256, 35258**

School Accountability Report Card (SARC) is posted on the district website by February 1 of each school year.

#### **School Rules – EC 35291**

Please refer to the Parent-Scholar Handbook for school rules. Please refer to BP 5144.1 for School Suspensions and Expulsions.

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

SCESD has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held monthly.

#### **School Visiting Procedures – EC 51101(a)(12)**

Please refer to Parent Handbook for school visiting procedures.

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

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. SCESD provides a free and appropriate public education to all pupils regardless of the nature or severity of their disability. The District has a responsibility to identify, evaluate, and if eligible, provide pupils with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disable peers. To qualify for Section 504 protections, the pupil must have a mental or physical impairment which substantially limits one or more major life activity. For additional information about the rights of parents or eligible pupils, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the Section 504 Coordinator, Mrs. Kari Skidmore (805) 525-4573, ext. 2111.

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

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

**Social Security Numbers – EC 49076.7**

Pupils and their parents or guardians should not be asked to provide their social security numbers or the last four digits of the social security numbers unless required by state or federal law. If a form is requesting that you provide a social security number or the last four digits of the social security number for you and/or your child and it does not specify the state or federal law that requires this information, ask the school administrator for more information before providing it.

**Student Conduct – EC 51100**

**Duties of Pupils – 5 CCR 300** - Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language.

**Jurisdiction – EC 44807** - Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

**Mandatory Expulsion Violations – EC 48915**

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

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive.

The school board shall order the student expelled upon finding that the student committed the act.

**Sunscreen and Sun-protective Clothing – EC 35183.5**

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including but not limited to hats. Pupils may use sunscreen during the school day without a physician's note or prescription.

**Surveys – EC 51513 and 51514**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. Questions pertaining to the sexual orientation and gender identity of a student shall not be removed from a survey that already includes them.

**Title IX – EC 221.61**

Title IX of the Education Amendments of 1972 is one of the several federal and state anti-discrimination laws that ensure equality and educational programs and activities that receive federal funding. Specifically, Title IX protects male and female pupils and employees, as well as transgender pupils and pupils who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, pupils may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting pupils may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. For more information about Title IX, or how to file a complaint of noncompliance with Title IX, contact Mrs. Kari Skidmore, Superintendent/Principal, 20030 E. Telegraph Road, Santa Paula, CA 93060, [kskidmore@santaclaraesd.org](mailto:kskidmore@santaclaraesd.org) (805) 525-4573, ext.2111, and/or visit the district website [www.scesd.k12.ca.us](http://www.scesd.k12.ca.us).

**Tobacco-free Campus – BPC 22950.5; HSC 104420, 104495, 104559, PC 308**

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



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

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

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the Superintendent, who will coordinate an investigation and responses within 60 days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

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

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

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

**Walking or Riding a Bike to School – VC 21212**

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

**Williams Complaint Policy and Procedure – EC 35186**

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

## **RIGHTS OF PARENTS AND GUARDIANS TO INFORMATION**

### **California Education Code 51101 (*in part*)**

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

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

**SANTA CLARA SCHOOL DISTRICT**  
**DISCIPLINE REFERRAL/NOTICE TO PARENTS**

Student Name \_\_\_\_\_ Date \_\_\_\_\_ Home Room \_\_\_\_\_

**Violation of School Rule**

- ☐ Tardy (third offense) \_\_\_\_\_
- ☐ Graffiti \_\_\_\_\_
- ☐ Dress & Grooming \_\_\_\_\_
- ☐ Classroom \_\_\_\_\_
- ☐ Playground \_\_\_\_\_
- ☐ Equipment \_\_\_\_\_
- ☐ Game \_\_\_\_\_
- ☐ Eating Area \_\_\_\_\_
- ☐ Library \_\_\_\_\_
- ☐ Bicycle \_\_\_\_\_
- ☐ Gum, candy, sunflower seeds \_\_\_\_\_

**Violation of School Rule Which May Result in Suspension or Expulsion**

- ☐ Injury to Staff or Student \_\_\_\_\_
- ☐ Dangerous Object (firearm, knife, other) \_\_\_\_\_
- ☐ Controlled Substance, Alcoholic Beverage, Intoxicant \_\_\_\_\_
- ☐ Robbery or Extortion \_\_\_\_\_
- ☐ Damage to School or Private Property \_\_\_\_\_
- ☐ Stolen School or Private Property \_\_\_\_\_
- ☐ Tobacco or Nicotine Products \_\_\_\_\_
- ☐ Engaged in Profanity or Vulgarity \_\_\_\_\_
- ☐ Drug Paraphernalia \_\_\_\_\_
- ☐ Disrespect to School Authority \_\_\_\_\_
- ☐ Possessed an Imitation Firearm \_\_\_\_\_
- ☐ Sexual Assault or Sexual Battery \_\_\_\_\_
- ☐ Harassment (sexual, threats, intimidation) \_\_\_\_\_
- ☐ Hate Violence (grades \_\_\_\_\_)

**NARRATIVE OF INCIDENT:**

**ACTION TAKEN**

- ☐ Warning - Counseled by: \_\_\_\_\_
- ☐ Assigned Special Task \_\_\_\_\_
- ☐ Time Out or Detained From \_\_\_\_\_
- ☐ In House Suspension \_\_\_\_\_

\_\_\_\_\_  
Person Reporting

**Parents/Guardians:** Please sign this form and return it the next school day. Student will not be allowed back in class without your signature.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Student Signature

**Education Code Section 48982 - Signature; return to school; effect of signature:**

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

**SANTA CLARA ELEMENTARY SCHOOL DISTRICT**

**I have received and read the  
“Parents’ Rights and Responsibilities in Public Education”  
School Year 2022-23**

_____ Student's Name	_____ Grade
_____ Student's Name	_____ Grade
_____ Student's Name	_____ Grade
_____ Student's Name	_____ Grade
_____ Signature of Parent or Guardian	_____ Date

**\* NOTE**

Pupil Directory Information: Pupil's address and telephone number and parents' email may be released to Santa Clara Parents Organization and school families unless the parent has requested in writing that such

information not be released. Ed Code  
49073