



SIERRA SANDS

Unified School District

Annual Notice of Rights and Responsibilities of Parent/Guardian and Student 2023-2024

Sierra Sands Unified School District

113 W. Felspar Avenue

Ridgecrest, CA 93555

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SCHOOL CALENDAR & MINIMUM DAY SCHEDULE

Academic Calendar for 2023-24

July 2023	3	4	5	6	7	July 4 - Independence Day Observed
	10	11	12	13	14	
	17	18	19	20	21	
	24	25	26	27	28	
	31					

January 2024	1	2	3	4	5	January 1 - New Year's Day Observed
	8	9	10	11	12	January 2-5 - Winter Recess
	15	16	17	18	19	January 15 - Martin Luther King Jr Birthday
	22	23	24	25	26	
	29	30	31			

August 2023	1	2	3	4	August 2 - Optional Teacher Work Day	
	7	8	9	10	11	August 3 & 4 - Teacher PD Days
	14	15	16	17	18	August 8 - First Day of Instruction
	21	22	23	24	25	
	28	29	30	31		

February 2024	5	6	7	8	9	February 12 - Lincoln's Birthday Observed **
	12	13	14	15	16	February 19 - Washington's Birthday
	19	20	21	22	23	February 23 - End of 2nd Trimester
	26	27	28	29		

September 2023	1					
	4	5	6	7	8	September 4 - Labor Day
	11	12	13	14	15	September 5 - In-Service Day - Non School Day for Students/Non-work Day for 10 month Employees
	18	19	20	21	22	
	25	26	27	28	29	

March 2024	1	2	3	4	5	
	4	5	6	7	8	
	11	12	13	14	15	March 15 - End of 3rd Quarter
	18	19	20	21	22	March 25 - 29 - Spring Break
	25	26	27	28	29	March 29 - In Lieu of Admission Day

October 2023	2	3	4	5	6	October 6 - End of 1st Quarter
	9	10	11	12	13	October 9 - Columbus Day
	16	17	18	19	20	
	23	24	25	26	27	
	30	31				

April 2024	1	2	3	4	5	
	8	9	10	11	12	
	15	16	17	18	19	
	22	23	24	25	26	
	29	30				

November 2023	1	2	3	November 3 - End of 1st Trimester		
	6	7	8	9	10	November 10 - Veterans Day Observed
	13	14	15	16	17	November 20 - 22 - Non School Days
	20	21	22	23	24	November 23, 24 - Thanksgiving Holidays
	27	28	29	30		

May 2024	1	2	3			
	6	7	8	9	10	
	13	14	15	16	17	May 27 - Memorial Day
	20	21	22	23	24	May 30 - Last Day of Instruction
	27	28	29	30	31	May 31 - Optional Teacher Work Day

December 2023	1	2	3	4	5	
	6	7	8	9	10	
	11	12	13	14	15	December 15 - End of 1st Semester
	18	19	20	21	22	December 18 - January 5 - Winter Recess
	25	26	27	28	29	December 25, 26 - Classified Holidays

June 2024	1	2	3	4	5	
	6	7	8	9	10	
	11	12	13	14	June 3 - Classified Mandatory Work Day	
	17	18	19	20	21	June 19 - Juneteenth Holiday
	24	25	26	27	28	

First/Last Day of Instruction	PURPLE
Quarter End	ORANGE
Trimester End	BLUE
Non-school Days	GREEN
Legal Holiday	RED
Winter/Spring Recess	
Inservice Days	TURQUOISE

MINIMUM DAY SCHEDULE		
Elementary School	Middle School	High School
November 13, 14, 15, 16, 17	December 13, 14, 15	December 13, 14, 15
December 15	May 28, 29, 30	May 28, 29, 30
March 5, 6, 7, 8		
May 24, 28, 29, 30		

LATE START WEDNESDAYS SCHOOL START TIMES (Noted in Yellow)			
Burroughs	8:10 a.m.	Las Flores	8:30 a.m.
Faller	8:30 a.m.	Murray	8:00 a.m.
Gateway	8:30 a.m.	Pierce	9:30 a.m.
Inyokern	8:45 a.m.	Richmond	9:30 a.m.
Monroe	8:00 a.m.		

Superintendent's Message

On behalf of the Board of Education, faculty, and staff of the Sierra Sands Unified School District, I welcome you to the 2023-2024 school year. It is our sincere desire that each and every student be provided with the best possible educational experience. As required by law, this is the annual notice to parents/guardians of Sierra Sands Unified School District ("District"). This notice provides information to parents/guardians about federal laws and state education codes, as well as information relating to the rights of parents or guardians of children. If your questions or concerns regarding our district schools, programs, policies, or procedures are not addressed in this booklet, please call your school or the District office for further information. For your convenience, telephone numbers are listed below.

As required by law, I wish to notify you as parents and/or guardians of students enrolled in our schools of your rights and responsibilities. I ask, therefore, that you please take a moment of your time to carefully review the "Mandated Notification to Parents" section of this handbook. After your review, please **sign** and **return** to your student's school the acknowledgement form on the last page indicating that you have received and reviewed these materials.

Dr. April Moore
Superintendent
Sierra Sands Unified School District

Faller Elementary	(760) 499-1690
Gateway Elementary	(760) 499-1850
Inyokern Elementary	(760) 499-1683
Las Flores Elementary	(760) 499-1860
Pierce Elementary	(760) 499-1670
Richmond Elementary	(760) 499-1840
James Monroe Middle School	(760) 499-1830
Murray Middle School	(760) 499-1820
Sherman E. Burroughs High School	(760) 499-1800
Mesquite High School	(760) 499-1810
Independent Study	(760) 499-1817
Adult School	(760) 499-1722
Student Support Services	(760) 499-1700
Curriculum Instruction & Assessment	(760) 499-1640
SELPA	(760) 499-1702
Technology	(760) 499-1630
Business Services	(760) 499-1604
Human Resources	(760) 499-1620
Superintendent's Office	(760) 499-1600

Mission Statement

We are committed to providing the highest quality education in a safe environment to all TK-12 students. We believe the school shares with the family and community the responsibility for developing life-long learners who are responsible, productive citizens.

Introduction

In compliance with the requirements of Education Code (EC) section 48980, this Annual Notification contains important information regarding state and federal laws, policies and procedures of the District that will assist parents (which include legal guardians and other individuals holding educational rights) in navigating through the school system and promote school and family partnerships to positively impact students' educational outcomes. In addition to the information provided in the document, parents may access the District website at <http://www.ssusd.org/> to address specific concerns and questions.

Please take the time to review the information provided in this document and keep it for reference during the school year. You will be asked to **sign** and **submit** to your student's school the **Mandatory Parent Notification Receipt** as required by EC 48982, and any other pertinent forms. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact an administrator at your child's school for assistance. Again, you may also visit our website for current updates and valuable information at <http://www.ssusd.org/>.

Key to Acronyms

AR	Sierra Sands Unified School District Administrative Regulations
BP	Sierra Sands Unified School District Board Policy
BPC	California Business and Professions Code
CCR	California Code of Regulations
CDE	California Department of Education
CFR	Code of Federal Regulations
EC	California Education Code
GC	California Government Code
HSC	California Health and Safety Code
LC	California Labor Code
SSUSD	Sierra Sands Unified School District
PC	California Penal Code
USC	United States Code
VC	California Vehicle Code
WIC	California Welfare and Institutions Code

EQUITY & ACCESS

Nondiscrimination in Programs and Activities

EC 200-262.4; (BP 0410)

The District is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The District's academic and other educational support programs, services and activities must be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual or perceived race, color, ancestry, national origin, immigration status, ethnic group identification, age, religion, political affiliation, marital or parental status, military or veteran status, pregnancy and related conditions, physical or mental disability, genetic information, sex, sexual orientation, gender, gender identity, or gender expression; or association with a person or group with one or more of these actual or perceived characteristics. The District assures that lack of English language skills will not be a barrier to admission or participation in District programs. District programs and facilities, viewed in their entirety, must comply with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. In addition, the Age Discrimination Act prohibits discrimination in programs or activities receiving federal and/or state financial assistance. (42 USC 6101 *et seq.*) Complaints of unlawful discrimination are investigated and resolved through the Uniform Complaint Procedures, as described in Appendix A of this Notice.

Title II, Part A of the Every Student Succeeds Act: Supporting Effective Instruction

20 USC 6601 et seq.

The purpose of Title II is to provide grants to state educational agencies and subgrants to local educational agencies to:

- Increase student achievement consistent with the challenging state academic standards;
- Improve the quality and effectiveness of teachers, principals, and other school leaders;
- Increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools: and
- Provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

Title II, Part A can be used to improve teacher and principal quality which include induction programs, professional development and support professional growth, equitable access to quality educators and recruitment for hard-to-find educator positions.

To ensure that every student has access to excellent educators, State and Local Education Agencies must work together to develop, attract, and retain excellent educators in all schools, especially in high-need schools. Part of the purpose of the Title II, Part A program is to provide students from low-income families and minority students greater access to effective teachers, principals, and other school leaders. (ESEA section 2001). To realize this outcome, educational agencies are strongly encouraged to use Title II, Part A funds to improve equitable access to effective teachers. (ESEA sections 2101(c)(4)(B)(iii) and 2103(b)(3)(B)).

Title IX: Sex Equity in Education Act

20 USC 1681-1688; EC 221.6, 221.61, 221.8, 231.5

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. All students (as well as other persons) are protected by Title IX-regardless of their sex, gender, gender expression, gender identity, sexual orientation, disability, race, or national origin – in all aspects of the District's educational programs and

activities. California law further provides that students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. The essence of Title IX is to ensure that students (as well as other persons) are not excluded, separated, denied benefits to, or otherwise treated differently on the basis of sex unless expressly authorized to do so under state or federal law in areas including, but not limited to: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment.

Under Title IX, students in the District have the right to:

1. Fair and equitable treatment that is free from discrimination based on sex.
2. Not be required to take and/or be denied enrollment in a course based on the student's gender, gender identity, gender expression, or sexual orientation.
3. Not be subjected to separate or different rules of behavior, sanctions, or other treatment, such as discriminatory discipline policies and practices, based on sex.
4. Be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
5. Inquire of the school's athletic director as to the athletic opportunities offered by the school.
6. Apply for athletic scholarships.
7. Receive equitable treatment and benefits in the provision of all of the following: equipment and supplies; scheduling of games and practices; transportation and daily allowances; access to tutoring; coaching; locker rooms; practice and competitive facilities; medical and training facilities and services; and publicity.
8. Access to the District's compliance officer to answer questions regarding gender equity laws.
9. Contact the California Department of Education (CDE) and the California Interscholastic Federation (CIF) to get information on gender equity laws.
10. File a confidential discrimination complaint with the United States Office of Civil Rights (OCR) or CDE if discrimination, or unequal treatment, on the basis of sex has occurred.
11. Pursue civil remedies as a result of discrimination.
12. Be protected against retaliation for filing a discrimination complaint.

The following personnel has been designated to address questions and complaints regarding the District's non-discrimination policies specific to Title IX:

Bryan Auld
Assistant Superintendent of Human Resources
113 W. Felspar Ave., Ridgecrest, CA 93555
Email: bauld@ssusd.org
Phone: (760) 499-1620

Any complaint alleging noncompliance with Title IX will be investigated and resolved through the Uniform Complaint Procedures, as described in this section.

Sexual Harassment

EC 231.5; 48900.2; 5 CCR 4917 (BP/AR 5145.7; AR 5145.71)

The District is committed to maintaining a safe school environment that is free from harassment and discrimination. In accordance with the law, the District has adopted a written policy on sexual harassment, which is set forth in the District's BP 5145.7, AR 5145.7, and AR 5145.71. A complete copy of BP 5145.7, AR 5145.7, and AR 5145.71 are included in Appendix C of this Notice. Any questions, concerns, and/or complaints concerning student sexual harassment and/or BP/AR 5145.7 or AR 5145.71 can be directed to the following personnel:

Bryan Auld
Assistant Superintendent of Human Resources
113 W. Felspar Ave., Ridgecrest, CA 93555
Email: bauld@ssusd.org

Married, Pregnant and Parenting Students

34 CFR 106.40; EC 221.51, 222, 222.5, 46015, 48205; (BP 5146)

Married, pregnant and parenting students often face overwhelming obstacles to receiving an education of equal quality to that of their peers, placing them at higher risk of dropping out of school. A student under the age of 18 years who enters into a valid marriage has all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. SSUSD further supports pregnant and parenting students by providing them with the opportunity to succeed academically while protecting their health and the health of their children in the following ways:

1. The District shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.
2. The District will not exclude or deny any student from an educational program or activity, including any class or extracurricular activity, solely on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery; the District will treat pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery in the same manner and under the same policies as any other temporary disabling condition.
3. Pregnant and parenting students have the right to participate in the regular education program and will not be required to participate in a pregnant minor program or alternative education program. Students who voluntarily participate in an alternative education program, must be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
4. The school will provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student will not incur an academic penalty for using any of these reasonable accommodations and will be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to:
 - a. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
 - b. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
 - c. Access to a power source for a breast pump or any other equipment used to express breast milk
 - d. Access to a place to store expressed breast milk safely
 - e. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child
5. A pregnant or parenting student will be excused from school when the absence is due to the illness or medical appointment of their child, including absences to care for a sick child.
6. During the school year in which the birth of the student's infant takes place, a pregnant or parenting student is entitled to eight weeks of parental leave, which the student may take before childbirth if there is a medical necessity and after childbirth to care for and bond with the infant. If deemed medically necessary by the student's physician, parental leave may be extended beyond eight weeks.
7. Specific to parental leave:
 - a. No student is required to take all or part of the parental leave.
 - b. A student on parental leave cannot be required to complete academic work or other school requirements but has the right to make up work missed upon return to school.
 - c. The student has the right to return to the school and course of study in which they were enrolled before taking parental leave, and the student may remain enrolled for a fifth year of high school instruction, if necessary, to complete graduation requirements.
 - d. The District's Supervisor of Attendance will ensure that absences from school, as a result of the parental leave, are excused until the student returns to school.

A student cannot be penalized for exercising the rights listed above. A complaint of noncompliance by the District can be filed through the Uniform Complaint Procedures, as described in this section.

Safe Place to Learn Act

EC 234, 234.1; (BP/AR 5131.2)

The District prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics set forth in PC 422.55, including immigration status, 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 District school may be subject to disciplinary action up to and including expulsion.

The policy addressing discrimination, harassment, violence, intimidation, or bullying is posted in all schools and offices, including staff lounges and student government meeting rooms. The posting provides information to students, parents, employees, members of the Governing Board, and the general public on how to file a complaint at the school, the process for investigating complaints, and all applicable timelines. Generally, any student, parent, or other individual may report an incident to a teacher, the principal, a compliance officer, or any other available school employee. The complaint alleging unlawful discrimination, harassment, intimidation, or bullying against any student, employee, or other person participating in District programs and activities will be investigated and resolved through the Uniform Complaint Procedures, as described in this notice.

For a list of statewide resources, including community-based organizations, that provide support to youth, and their families, who have been subjected to school-based discrimination, harassment, intimidation, or bullying, please visit the CDE webpage: <https://www.cde.ca.gov/ls/ss/se/bullyingprev.asp>

Hate-Motivated Behavior

EC 200-262.4, 48900.3, 48900.4; PC 422.55; (BP 5145.9)

The District's Governing Board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The District will implement strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur. Any student who engages in hate-motivated behavior at school or at a school-sponsored or school-related activity will be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion.

Prevention and Intervention Strategies

Students will be provided with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively. As necessary, counseling, guidance, and support will be provided to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

Defining Hate-Motivated Behavior

"Hate motivated behavior" is any act, or attempted act, intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility towards a victim's real or perceived ethnicity, national origin, immigrant status, religious belief, sex, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

A “hate crime” is a criminal act committed, in whole or in part, 'because one or more of the following actual or perceived characteristics of the victim: (1) disability; (2) gender; (3) nationality; (4) race or ethnicity; (5) religion; (6) sexual orientation; (7) association with a person or group with one of more of these actual or perceived characteristics. “Hate crime” includes, but is not limited to, a violation of PC 422.6.

Reporting and Investigating Allegations of Hate-Motivated Behaviors

Any person who believes that a student is a victim of hate motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member. Any complaint of hate-motivated behavior is investigated and, if determined to be discriminatory, resolved in accordance with law and the Uniform Complaint Procedures, as described in this section. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee will inform the complainant and take all necessary actions to resolve the complaint.

The District’s board policy on hate-motivated behavior can be found on the District’s website. ([BP 5145.9](#)).

Educational Equity

EC 234.7; (BP/AR 5145.13)

All students, regardless of their immigration status or religious beliefs, have the right to a free public education. As such, the District: (1) prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status; (2) receives and investigates related complaints based on immigration status in accordance with its Uniform Complaint Procedures; (3) prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members unless required to administer a state or federal program; (4) requires reporting to the Board any requests to gain information or access to a school site by an officer or employee of a law enforcement agency for immigration enforcement purposes; and (5) will first exhaust parents’ instructions concerning a student’s care in the emergency contact information in the parents’ absence and to avoid contacting Child Protective Services unless the District is unable to arrange for care based on parental instruction. The following “know your rights” information regarding immigration-enforcement actions is provided by the California Attorney General.

Know Your Educational Rights

Your child has the right to a free appropriate public education

- All children have a right to equal access to free public education, regardless of their or their parents’ immigration status.
- All children in California:
 - Have the right to a free public education.
 - Must be enrolled in school if they are between 6 and 18 years old.
 - Have the right to attend safe, secure, and peaceful schools.
 - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

Information required for school enrollment

- Schools must accept a variety of documents from the student’s parent(s) to demonstrate proof of child’s age or residency.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

Confidentiality of personal information

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

Family safety plans if you are detained or deported

- You can update your child’s emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

Right to file a complaint

- Your child has the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated or bullied because of their actual or perceived nationality, ethnicity, or immigration status.

Checklist for Immigrant Students and Families Attending Public Schools

You do not have to share the following information with school officials:

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
 - When completing the “Free and Reduced-Price Meals” form, only provide the last four digits of the SSN of the adult household member who signs the application.
 - If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
 - If any household member participates in CalFresh, CalWORK.s (California Work Opportunity and Responsibility for Kids), or FDIPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of their SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student’s residency or age, you do not have to use documents that could reveal information related to immigration status.

Take steps to protect student information:

- Ask for the school’s written privacy policies regarding student information.
- Review the school’s policy for “directory information” which allows for public release of basic student information and consider whether to opt out of releasing that information.

Take steps to prepare for situations where one or more parents or guardians are detained or deported:

- Develop and keep in a safe place a “Family Safety Plan” that includes the following information:
 - Name of a trusted adult to care for your child if no parent or guardian can.
 - Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.).
 - Visit the following link for a Family Safety Plan:
chrome-extension://efaidnbnmnnibpcajpcglclefindmkaj/https://www.ilrc.org/sites/default/files/resources/family_prepa_redness_plan.pdf
- Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent is available.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact: Bureau of Children's Justice, California Attorney General's Office, P.O. Box 944255, Sacramento, CA 94244-2550, (800) 952-5225, BCJ@doj.ca.gov <https://oag.ca.gov/bcj/complaint>

Education for Foster Youth

EC 48204, 48850, 48853, 48853.5, 51225.1, 51225.2; (BP/AR 6173.1)

A "Foster Child" means any of the following: (1) A child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code; (2) A child who is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, whether or not the child has been removed from their home; (3) A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law; or (4) A child who is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400 of the Welfare and Institutions Code.

The District's educational liaison for foster youth is Lisa Decker, Coordinator of State and Federal Programs, at ldecker@ssusd.org or (760) 499-1640. The role of the educational liaison is to: (1) ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster youth; (2) assist foster youth when transferring from one school or school district to another school or school district in ensuring proper transfer of records, credits, and grades; (3) notify a foster youth's attorney and county welfare agency representative(s) when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination review, when they are a student with a disability; and (4) address any disputes over school selection or enrollment.

The following link is for the standardized notice of foster youth rights posted on the CDE website:

<https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>

The following is a brief summary of a foster youth's rights:

1. Right to attend either the "school of origin" or the current school of residence. The school of origin can be the school attended when the student first entered foster care, the school most recently attended, or any school the foster youth attended in the last 15 months.
2. Right to immediate enrollment even if the foster youth is unable to produce records normally required for enrollment (e.g., proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (e.g., school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that the District has not complied with requirements regarding the education of foster youth.

Education for Homeless Youth – Families in Transition

42 USC 11432; EC 48851.5, 48852.5, 51225.1, 51225.2; (BP/AR 6173)

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to non-homeless students. A homeless youth is defined as a child who lacks a fixed, regular, and adequate nighttime residence and includes children and youth who: are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; may be living in motels, hotels, trailer parkers, or shelters; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces abandoned buildings, substandard housing, bus or train stations, or similar settings; or are migratory children who qualify as homeless because of similar living circumstances.

The District's educational liaison for homeless youth is Lisa Decker, Coordinator of State and Federal Programs, at ldecker@ssusd.org or (760) 499-1640. The role of the educational liaison is to: (1) ensure that homeless students are identified so that they have access to and receive educational services for which they are eligible; (2) assist homeless

students when transferring from one school or school district to another school or school district in ensuring proper transfer of records, credits, and grades; (3) ensure that homeless families and students receive referrals for services, such as health care, dental, mental health, and housing; (4) assist, facilitate, or represent a homeless student who is undergoing disciplinary proceeding that could result in expulsion from the District; (5) participate in an IEP or Section 504 team meeting to make a manifestation determination regarding the behavior of a homeless student with disability; (6) address any disputes over school selection or enrollment; and (7) ensure that public notice of the educational rights of homeless children and youths and unaccompanied youths is disseminated in schools.

The following is a brief summary of a homeless youth's rights:

1. Right to attend either the "school of origin" or the current school of residence, and not be required to attend a separate school for homeless children or youth. The school of origin can be the school attended when the student had permanent housing, the school most recently attended, or any school the homeless youth attended in the last 15 months. Transportation may be provided.
2. Right to immediate enrollment even if the homeless youth is unable to produce records normally required for enrollment (e.g., proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (e.g., school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to education and other services and to participate in all school activities and programs for which the youth is eligible.
4. Right to automatically qualify for child nutrition programs.
5. Right to not be stigmatized by school personnel.
6. Issuance and acceptance of partial credits for courses that have been satisfactorily completed by the homeless youth. The homeless youth must not be required to retake the portion of the course already completed unless it has been determined that he or she is reasonably able to complete the requirements in time to graduate from high school.
7. Notified of the possibility of graduating from high school within four years by completing only the state graduation requirements instead of the District's graduation requirements or the possibility of completing the District's graduation requirements during a fifth year of high school.
8. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that the District has not complied with requirements regarding the education of homeless youth.

Unaccompanied youth who meet the definition of homeless youth are also eligible for rights and services under the McKinney-Vento Act. An unaccompanied youth is defined as a minor who is not in the physical custody of a parent.

Student Fees, Charges, Donations, and Fundraising

5 CCR 4622; EC 48904, 49010 et seq.; (BP/AR 3260)

The District will ensure that books, materials, equipment, supplies, and other resources necessary for student participation in the District's educational program are made available to them at no cost. Students will not be required to pay a fee, deposit, or other charge for their participation in an educational activity which constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities. Charges by private businesses to students for services that are not integral parts of the educational program are permissible even if such services are facilitated by the District or school (e.g., school or sport pictures).

As necessary, the Governing Board may approve and impose fees, deposits and other charges which are specifically authorized by law. In determining whether waivers or exemptions should be granted, the Board will consider relevant data, including the socioeconomic conditions of student families and their ability to pay.

Examples of permissible fees include:

1. Reimbursement for the direct cost of materials that the student has used to create something for their own possession and use (EC 17551)

2. Charge for damaged school property, or for failure to return school property on loan to the student (EC 19911, 48904)
3. Charge for safety glasses for specified courses or activities that are likely to cause injury to the eyes (EC 32033)
4. Deposit for band instruments, music, uniforms, and other regalia for use on an excursion to a foreign country (EC 38120)
5. Fees associated with field trips and excursions (*e.g.*, direct transportation costs or admission/entry fees), as long as no student is denied the opportunity to participate because of lack of sufficient funds (EC 35330)
6. Medical or hospital insurance for field trips that is made available by the District (EC 35331)
7. Medical/accident insurance for athletic team members, so long as there is a waiver for financial hardship. (EC 32220- 32224)
8. Parking of vehicles on school grounds (VC 21113)
9. Fees for community classes, not to exceed the cost of maintaining them (EC Sections 51810, 51815)
10. Fee for the actual cost of duplicating public records, student records, or a prospectus of the school curriculum (GC 6253; EC 49063, 49091.14.)
11. Food served to students, subject to free and reduced-price meal program eligibility and other restrictions specified in law (EC 38084)
12. Fees for childcare and development services (EC 8263)
13. Fees for adult education classes, materials and textbooks, or a refundable deposit on loaned books (EC 52612, 60410)
14. Tuition fees charged to students whose parents are actual and legal residents of an adjacent country or an adjacent state (EC 48050,48052)

Examples of impermissible fees include:

1. Necessary supplies/items needed by the student to participate in regular classwork (*e.g.*, drawing paper, pens, crayons, lead pencils, P.E. uniforms)
2. Charge for textbooks or workbooks
3. A tuition fee or charge as a condition of enrollment in any class or course of instruction, a registration fee, a fee for a catalog of courses, a fee for an examination in a subject, a late registration or program change fee, a fee for the issuance of a diploma or certificate, or a charge for lodging
4. Tuition for summer school
5. A deposit to guarantee that the school would be reimbursed for loss to the District because of breakage, damage to, or loss of school property
6. Membership fees in a student body or student organization as a condition for enrollment or participation in athletic or other curricular or extracurricular school-sponsored activities
7. Caps and gowns for students to participate in a graduation ceremony unless a student opts to purchase them to keep

The District will recover any debt owed as a result of unpaid fees lawfully imposed by the Board, but will not bill a current or former student for accumulated debt, nor take negative action (*e.g.*, limiting or denying participation in any classroom activity, extracurricular activity, field trip, or ceremony; denying or withholding grades or transcripts) against a student or former student because of such debt. The District may withhold grades or transcripts only for debt owed as a result of vandalism or loss of District property loaned to the student. Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the District will provide an itemized invoice, referencing applicable District policies, for any amount owed by the parent on behalf of a student or former student. For each payment received, a receipt will be provided to the parent. The District will not sell debt owed by a parent.

The District, its schools and programs may solicit voluntary donations or participate in fundraising activities. However, the District will not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. It also will not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

Any complaints of unlawful imposition of fees, deposits, or other charges will be investigated and resolved through the Uniform Complaint Procedures, as described in this notice. If, upon investigation, the District finds merit in the complaint, the Superintendent or designee will recommend, and the Board will adopt, an appropriate remedy to be provided to all affected students and parents in accordance with 5 CCR 4600.

The Boy Scouts of America Equal Access Act

34 CFR 108.6

Pursuant to the Boy Scouts of America Equal Access Act, the District provides equal access to the use of school property to the Boy Scouts of America and other designated youth groups.

Uniform Complaint Procedures (UCP)

5 CCR 4600-4670; EC 33315; (BP/AR 1312.3)

School districts are required to adopt and maintain Uniform Complaint Procedures (UCP) to ensure compliance with applicable state and federal laws and regulations governing certain educational programs and activities, including, but not limited to, the prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected person or group. The District's UCP is used to investigate and resolve certain complaints regarding the District's educational programs and activities, which are set forth in the District's BP and AR 1312.3. A complete copy of BP and AR 1312.3 are included in Appendix A of this Notice. All questions and/or concerns regarding the District's UCP, including which subject matters are covered by the District's UCP and/or how to file a complaint pursuant to the District's UCP, may be directed to the following personnel:

Bryan Auld
Assistant Superintendent of Human Resources
Sierra Sands Unified School District
113 W. Felspar Avenue
Ridgecrest, CA 93555
bauld@ssusd.org
(760) 499-1620

Williams Complaint

5 CCR 4680-4687; EC 35186; (AR 1312.4)

Every school must provide sufficient textbooks and instructional materials that are in good and usable condition. Every student, including English learners, must have textbooks or instructional materials, or both, to use in class and to take home. School facilities must be clean, safe, and maintained in good repair so as not to pose an emergency or urgent threat to the health or safety of students or staff. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Investigation and Response

Complaints must be filed with the principal or designee at the school in which the complaint arises and may be filed anonymously. However, complainants who identify themselves are entitled to have a response mailed to the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint if they indicate that a response is requested. Any complaint about problems beyond the authority of the school principal will be forwarded in a timely manner, but not to exceed 10 working days, to the Superintendent or designee. Reasonable efforts will be made to

investigate the problem; remedies to a valid complaint will be implemented within a reasonable time period, not to exceed 30 working days from the date the complaint was received.

Although complainants do not need to use the District's complaint form to file a complaint, a standardized complaint form may be obtained at the school's main office, or downloaded from the District's website at:

<https://www.ssusd.org/cms/One.aspx?portalId=116735&pageId=2400564>

A complainant who is not satisfied with the resolution of the principal or compliance officer may describe the complaint to the Governing Board at a regularly scheduled board meeting. If the complainant is still dissatisfied with the Board's resolution of a facility condition that poses an emergency or urgent threat may appeal to the State Superintendent of Public Instruction at the CDE. Appeals must be filed within 15 days from the date the complainant receives the District's final resolution. The complainant should provide a copy of the complaint filed with the District and a copy of the resolution, and should specify the basis for the appeal and whether the facts are incorrect and/or the law is misapplied.

On a quarterly basis, summarized data on the nature and resolution of all complaints are reported to the governing board at a regularly scheduled board meeting. All complaints and written responses are available as public records.

Reporting Incidents and Complaints

For any reporting of incidents and complaints that do not have a specific form or process specified, students and parents may use one of the following methods:

1. Contact Human Resources at, bauld@ssusd.org, (760) 499-1620.
2. File an anonymous report through STOPit:
<https://www.ssusd.org/cms/one.aspx?portalId=116735&pageId=4449468>

SCHOOL ATTENDANCE

Residency Requirements for School Attendance

EC 48200 et seq.; (BP/AR 5111.1)

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located. A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries.
2. The student is placed within district boundaries in a regularly established licensed children's institution, licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (EC 48204)
3. The student is a foster child who remains in his or her school of origin pursuant to subdivisions (f) and (g) or Section 48853.5.
4. The student is admitted through an interdistrict attendance option. (EC 46600,48204,48301,48356)
5. The student is an emancipated minor residing within district boundaries. (EC 48204)
6. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (EC 48204)
7. The student resides in a state hospital located within district boundaries. (EC 48204)
8. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (EC 48207)

9. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (EC 48204)
10. The student's parent/guardian is physically employed within the boundaries of that school district for a minimum of 10 hours during the school week. (EC 48204)
11. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. (EC 48204.3)
12. The student's parent/guardian was a resident of California who departed the state against his/her will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure. (EC 48204.4)
13. The student is a migratory child or a child of a military family who continues to attend their school of origin. (EC 48204.7)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries pursuant to item #10 above in section "Residency Requirements for School Attendance" shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location. See more information under the section "Residency Based on Parent Employment" below.

A parent/guardian who is transferred or pending transfer into a military installation within the state pursuant to item # 11 above in the section "Residency Requirements for School Attendance" shall provide proof of residence in the district within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code 48204.3)

A student whose parent/guardian's departure from the state occurred against his/her will pursuant to item # 12 in the section "Residency Requirements for School Attendance" above shall be in compliance with district residency requirements if he/she provides official documentation of the parent/guardian's departure and evidence demonstrating that the student was enrolled in a public school in California immediately before moving outside the state. (Education Code 48204.4)

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (Education Code 48645.5, 48852.7, 48853.5; 42 USC 11432)

Safe at Home/Confidential Address Program

(BP/AR 5111.1)

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

Residency Based on Parent Employment

EC 48204(b); (AR 5111.12)

The District considers a student whose parent is physically employed within its attendance boundaries for a minimum of 10 hours during school week to have complied with residency requirements for school attendance. Once a student is

deemed to have complied with residency requirements in this manner, the student may continue to attend school in the District through the highest grade level offered without having to reapply each school year as long as the parent continues to be physically employed within the attendance boundaries for a minimum of 10 hours during the school week. The District will not deny admission of a student on the basis of race, ethnicity, sex, family income, academic achievement, or any other arbitrary consideration; however, the District may prohibit the transfer of a student if the District determines that the additional cost of education the student would exceed the amount of additional state aid received as a result of the transfer, or if either the District or the district of residence determines that the transfer would negatively impact its court-ordered or voluntary desegregation plan.

Proof of Residency

5 CCR 432; EC 234.7, 48204.1; (BP/AR 5111.1)

Reasonable evidence that the student meets residency requirements for school attendance must be provided by the parent upon request by a District employee. Verification of residency is required at the time of school enrollment and annually, thereafter, to comply with California laws related to the maintenance of specified information in a student's mandatory permanent records.

The District will not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining residency within the District.

The District will investigate any cases where there may be reason to believe that a student does not comply with residency requirements for school attendance, that the parent has provided false information with respect to residency, or that the information provided at the time of enrollment is no longer current or accurate. The investigation may be conducted by a trained District employee or a private investigator employed by the District, and may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency. The investigation will not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in an open and public view.

School Choice within Sierra Sands Unified

EC 35160.5, (BP/AR 5116.1)

The parent of any student who resides within the attendance boundaries of the District may apply to enroll their student in any District school, regardless of the location of their residence within the District. Decisions will follow the priority order described below:

1. Existing enrollees that are residents of the school attendance area have first priority for placement.
2. Overflow students who have been attending in another school due to space limitations have second priority for returning to the home school.
3. New residents of the school attendance area have the third priority.
4. Continuing open enrollment transfers have fourth priority for placement.
5. Intradistrict transfers of district employees have the fifth priority for placement.
6. Siblings of continuing open enrollment transfers have sixth priority for placement.
7. New open enrollment transfers have seventh priority for placement.

No student currently residing within a school's attendance area will be displaced by another student transferring from outside the attendance area. The Governing Board retains the authority to maintain appropriate racial and ethnic balances among district schools. Transportation to any other school is the responsibility of the parent.

All application forms and additional information can be requested through the Department of Student Support Services.

Open Enrollment Transfer

Applications must be submitted online between May 1 and May 15 for the following school year. All students must be registered at their school of residence in order to submit an Open Enrollment request. After the enrollment priorities have been applied in accordance with AR 5116.1— Intradistrict Open Enrollment, and if there are more requests for a particular school than there are spaces available, a random and unbiased drawing will be held from the applicant pool. A waiting list may be established to indicate the order in which applicants may be accepted if openings occur prior to 10 school days after the first day of instruction. Late applicants will not be added to the waiting list for the current year; they must wait for the open enrollment period the following school year.

Professional Courtesy

The Governing Board authorizes the Superintendent or designee to allow "Professional Courtesy" as a reason for requesting an intradistrict transfer to a school of choice for those students who are children, stepchildren, or foster children of full-time District employees who receive employment benefits or Board Members of the District Board.

Approval may not be granted until after the District Office has finalized the staffing plan for the next school year and has an opportunity to assess the availability of space. If there are more applications than can be accommodated, then, applications are selected for approval through an unbiased lottery selection.

Intradistrict Transfers

Outside of the open enrollment period, parents may submit a request for a transfer to another school within the District through an intradistrict transfer request. Applications may be submitted beginning May 16 for the following school year, and at any time before the first 10 instructional days of the current school year. The first two weeks of school are reserved to ensure students have the opportunity to enroll in their school of residence; however, this restriction may be waived if the District is confident the school will have ample space available.

Reasons for requesting an intradistrict transfer request include matters related to parent employment, student's medical needs, childcare needs, and change of residence outside of the open enrollment window. For students who are determined to have been a victim of bullying, the District will approve an intradistrict transfer unless the requested school is at maximum capacity, in which case, the District will accept an intradistrict transfer request for a different school within the District.

Applications are considered and a decision is made on a first come, first serve basis. Admission to a particular school will not be influenced by a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants.

Voluntary Adjustment Transfers

Adjustment transfers during the school year may be initiated by students and parents for any of the following reasons:

1. The student is failing to make acceptable academic progress in the student's current setting.
2. The student is frequently late to school, has a history of unexcused absences or of truancy.
3. The student is failing to comply with the rules governing student conduct.
4. The student has been subjected to harassment, threats or intimidation that is sufficiently severe or pervasive to create an intimidating or hostile environment for the student.

Requests must be submitted to the Coordinator of Student Services who has the authority to approve or deny the request based on a supportable, documented reason to believe that a transfer will significantly improve the student's performance and/or educational environment. The decision of the Coordinator of Student Services is final.

Adjustment transfers are not permanent. The student is expected to return to their previous school of attendance at the end of the school year in which the transfer was granted, unless the Coordinator of Student Services allows for an extension through the subsequent school year.

If no established transportation service is available at the school to which the student is transferred, transportation is the responsibility of the parent.

Involuntary Transfers

EC 48432.5, 48662, (BP 6184, 6185)

A student may be involuntarily transferred under either of the following circumstances:

1. If a high school student committed an act described in EC 48900 or has been habitually truant or irregular in school attendance, the student may be transferred to a continuation school. The decision to transfer will be provided to the parent in writing, stating the facts and reasons for the decision, and will not be made by members of the staff of the school in which the student is enrolled at the time. The involuntary transfer may not exceed two semesters.
2. If a student is expelled from school for any reason, is referred by probation, or is referred by the School Attendance Review Board or another formal district process, the student may be involuntarily transferred to a community day school. The process will include a written notification of transfer to the student and the student's parent and an opportunity for the student and parent to meet with the Superintendent or designee to discuss the transfer.

Victim of a Violent Criminal Offense

20 USC 7912; (BP 5116.1)

A student, who is determined to be a victim of a violent criminal offense while on the school grounds that the student attends, has the right to transfer to another school within the District. The District has 14 calendar days to make the determination and offer the student an option to transfer. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee will consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

Persistently Dangerous Schools

5 CCR 11992; 20 USC 7912; (BP 5116.1)

Upon receipt of notification from the CDE that a District school has been designated as "persistently dangerous," the Superintendent or designee will provide parents of students attending the school with notice of the school's designation and the option to transfer their students to another school. A list of other schools to which a student may transfer, and applicable timelines and procedures for requesting the transfer will be provided.

Parents who desire to transfer their child out of a "persistently dangerous" school will need to provide a written request to the Superintendent or designee and rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee will consider the needs and preferences of students and parents before making an assignment but is not obligated to accept the parent's preference if the assignment is not feasible due to space constraints or other considerations.

If parents decline the assigned school, the student may remain in their current school. For students whose parents accept the offer, the transfer will be made as quickly as possible. The transfer will remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

Alternative Schools

EC 58501

The following required notice is also posted in at least two places normally visible to students, teachers, and visiting parents at each school for the entire month of March in each year:

Notice of Alternative Schools

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

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of their desire to learn.
3. Maintain a learning situation maximizing student self motivation and encouraging the student in their own time to follow their own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by their teachers of choices of learning projects.
4. 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.
5. 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, student, 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.

The District currently offers the following alternative education programs:

1. *Mesquite Continuation High School* - The District offers a continuation high school diploma program in an alternative, flexible environment to support employment and/or family obligations. The alternative program is designed to meet the needs of students aged sixteen and older who have not graduated from high school, are not exempt from compulsory school attendance, and are deemed at risk of not completing their schooling.
2. *Independent Study* - The District offers a K-12 virtual Independent Study program as an alternative to in-person classroom instruction. Independent study is a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning.
3. *Adult Education* - The District offers virtual high school courses which meet graduation requirements. Adult students can earn a high school diploma, high school equivalency certificate, learn about jobs, and learn to speak English.

Interdistrict Permit Transfers

EC 46600 et seq.; (BP/AR 5117)

State law permits two or more school districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted.

If granted an interdistrict attendance permit, students whose parents are residents of the District, may attend school in another school district. Similarly, students residing outside of the District may be allowed to attend District schools. The Governing Board will allow such transfers for a limited number of reasons, including:

1. To meet the childcare needs of the student.
2. To meet the student's special mental or physical health needs, as certified by a physician, school psychologist or other appropriate school personnel.
3. When the student has siblings attending school in the district of proposed enrollment, to avoid splitting the family's attendance.
4. To complete a school year when the student's parents have moved out of the district during that year.
5. To allow the student to remain with a class graduating that year from an elementary, junior, or senior high school.
6. To allow a high school senior to attend the same school the student has attended as a junior, even if the student's family moved out of the district during the junior year.
7. When the parent provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district.
8. When the student will be living out of the district for one year or less.
9. 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 any school in the District.
10. When there is valid interest in a particular educational program not offered in the district of residence.

The District will not prohibit the transfer of a student who is a child of an active duty military parent to a district of proposed enrollment if that district approves the application for transfer.

School districts of residence may not deny a transfer of a student who is the victim of an act of bullying unless the requested school is at maximum capacity, in which case the school district shall accept an intradistrict transfer request for a different school in the school district. If the school district of residence has only one school offering the grade level of the victim of an act of bullying and therefore there is no option for an intradistrict transfer, the victim of an act of bullying may apply for an interdistrict transfer and the school district of residence shall not prohibit the transfer if the school district of proposed enrollment approves the application for transfer. Additionally, a student who has been determined by personnel of either the District or the receiving district to have been the victim of an act of bullying will, at the request of the parent, be given priority for interdistrict attendance. The term "bullying" is defined under Education Code section 48900(r), and a "victim of an act of bullying" means a student that has been determined to have been a victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any student in the District, and the parent of the student has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency.. Upon request by the parent, a receiving district must provide transportation assistance to a student who is both eligible for free or reduced-price meals and either a victim of an act of bullying or a child of an active-duty military parent. Transportation will not be provided for other students attending school through an interdistrict permit.

Interdistrict permits are valid for one year; except that a student's existing permit may not be revoked after June 30 following their completion of the 10th grade, or during their 11th or 12th grade year.

The application and additional information to request an interdistrict transfer from the District to attend school in another district is available at the Office of Student Services and on the District's website at <http://www.ssusd.org>. The District will review the application and make its final decision within 30 calendar days from the date a request was received. A denial of the request by the District may be appealed to the Kern County Superintendent of Schools within 30 calendar days from the date of denial.

California Open Enrollment Act

(EC 48350 et seq.)

The State of California Open Enrollment Act establishes a list of 1,000 “low achieving” schools for each school year. Parents/guardians at one of the 1,000 California Open Enrollment schools have the option to request a transfer to another school with a higher Academic Performance Index (“API”) within or outside of the District. Information regarding the application process and applicable deadlines can be obtained from the District office. The District will notify parents of students attending a school on the list of their options to transfer to another public school on or before the first day of the school year. An application requesting a transfer shall be submitted by the parent of a student to the school district of enrollment prior to January 1 of the school year preceding the school year for which the pupil is requesting to transfer.

Compulsory Education; Importance of Good Attendance

EC 48200, 48293, 48400 et seq.

California law requires full-time attendance and punctuality of every student between 6 and 18 years of age. This applies to instruction provided in-person or via remote learning, or a hybrid of the two instructional models; except that attendance in remote learning is defined by participation in teacher learning expectations. Schools are required to enforce the law and parents are responsible to compel the attendance of their children at school. Any parent who fails to meet this obligation may be guilty of an infraction and subject to prosecution.

Regular attendance plays an important role in student achievement and is an important life skill that will help students graduate from college and keep a job. When students do not attend school regularly, they miss out on fundamental reading and math skills and the chance to build a habit of good attendance.

Absences can be minimized by scheduling medical, dental, and other appointments after school or when school is not in session. Vacations should be planned around holidays. Parents must make school attendance a priority.

Exclusion from School

EC 48213; (AR 5112.2)

The Superintendent or designee may exclude a student without prior notice to the parent if the student is excluded for any of the following reasons:

1. The student resides in an area subject to quarantine pursuant to HSC 120230.
2. The student is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to EC 49451.
3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent or designee will send a notice as soon as reasonably possible after the exclusion. Upon exclusion of the student, a parent may meet with the Superintendent or designee to discuss the exclusion. If the parent disagrees with the decision of the Superintendent or designee, the parent may appeal the decision to the Governing Board. The parent will have an opportunity to inspect all documents upon which the District is basing its decision, to challenge any evidence and question any witness presented by the District, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

Excused Absences

EC 46014, 48205; (BP/AR 5113)

Each person between the ages of 6 and 18 is subject to compulsory full-time education, unless exempted by law. In order for an absence to be excused, the reason for such absence must meet the criteria specified under EC 48205 (*see full text below*). It is the responsibility of the parent to notify the school office of any absences or tardies in written or verbal form within the timeframe prescribed by the school. Written notes should include the student's name, date(s) of absence, reason for absence, and parent's signature and daytime contact number. A doctor's note may be requested by the

principal or designee when a student has had more than 10 absences in the school year due to illness. Absences not cleared will remain unverified.

EC 48205(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
 - (2) Due to quarantine under the direction of a county or city health officer.
 - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
 - (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - (5) For the purpose of jury duty in the manner provided for by law.
 - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
 - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
 - (11) For purposes or participating in a cultural ceremony or event.
 - (12) (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
 - (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
 - (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
 - (13) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (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) For purposes of this section, the following definitions apply:
- (1) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 - (2) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.
 - (3) "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil

Additionally, a student, with written parent consent, may be excused from school to participate in religious exercises or to receive moral and religious instruction at their place of worship or other suitable place away from school property designated by the religious group, church, or denomination. The student must attend school at least the minimum school day and cannot be excused from school for such purpose on more than four days per school month.

It is important for parents and students to understand that writing a note verifying an absence or a tardy does not excuse an absence. Absences are excused only if they meet the criteria listed under EC 48205. Absences that are not excused are marked unexcused in the student's records.

Absences due to Religious Exercises or Instruction

EC 46014; (AR 5113)

With the written consent of the parent, a student may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code. Such absence will not be deemed absence in computing average daily attendance if the student attends at least the minimum school day and is not excused from school for this purpose on more than four days per school month.

Confidential Medical Services

EC 46010.1; (BP 5113)

Students in grades 7-12 may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent. When excusing students for confidential medical services or verifying such appointments, staff will not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment. In accordance with a November 2004 opinion issued by the California Attorney General, staff may not notify a parent when a student leaves school to obtain confidential medical services.

Illness

It is important to protect the health of all students from risk posed by infectious diseases that can be transmitted within the school setting.

Students should not be sent to school if they have any of the following signs or symptoms:

1. **Fever (over 100 degrees).** Keep the student at home until they have not had a fever for at least 24 hours without the use of fever reducing medication (e.g., Tylenol, Motrin).
2. **Eyes that are red, swollen, crusting or draining.** The student may return to school when the eyes are clear, or a doctor's note states "non-contagious" or "under treatment."
3. **Head lice.** Students with head lice may return to school after they have been treated with an appropriate lice shampoo and there is no evidence of live lice in their hair.
4. **Vomiting/Diarrhea.** Keep the student at home until they have not vomited or had diarrhea for 24 hours.
5. **Skin rashes.** A skin rash of unknown origin or a contagious rash requires a clearance from a health care provider that states the student is not contagious and may return to school. Otherwise, the student may return when the rash has cleared.
6. Any illness that requires prescribed antibiotic treatment. The student must complete 24 hours of the treatment prior to returning to school.

If there is a reasonable suspicion that a student is ill with any of the above signs or symptoms while at school, the student will be removed from class and isolated from others, as appropriate, and the parent will be called to pick up the student from school.

Absence Verification

If the absence will be for several days, a phone call on the first day would be appreciated. When a student who has been absent for one or more days returns to school, the student's parent must present an explanation for the absence. Unless verification is obtained, the student may be classified as a truant and may not be allowed to make up missed assignments/tests.

Methods that may be used to verify student absences include:

1. Written note from parent or student, if 18 or older. (*E.C. 46012*)
2. Conversation, in-person or by telephone, between the verifying employee and student's parent.
3. Verification by a school nurse, attendance supervisor, physician, principal, teacher, or any other district employee assigned to make verification for the District.

Please note that verification of an absence does not necessarily excuse the absence - see the notification on "Truancy" below.

Truancy

EC 48260-48273; (BP/AR 5113)

A student is considered *truant*, and shall be reported to the attendance supervisor or to the superintendent, after three unexcused absences or three unexcused tardies of more than 30 minutes each time or any combination thereof. 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, 48225.5, 46010.1 and 46015, as described previously.

Schools in the District use an automatic, computer-based system to generate notices to parents when students are initially classified as a truant. Students who are subsequently classified as habitual or chronic truants may be subject to any or all of the following:

1. Required to attend Saturday make-up classes
2. Referred to the School Attendance Review Board (SARB)
3. Referred to the Truancy Intervention Program
4. Referred to the District Attorney

Parents of students who are classified as habitual or chronic truant students will be asked to work with the school site administrator to develop a written action plan to help reduce unexcused absences. Along with the student, parents will be asked to participate in the SARB process. If the case is brought before the Court, the parent may be fined for their failure to insure their student's attendance at school.

Chronic Absenteeism

EC 60901; (BP 5113)

A student is considered a chronic absentee when they are 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 - excuse- and unexcused - and is an important measure because excessive absences negatively impact academic achievement and student engagement.

When a parent receives a "Chronic Absence Letter" from the school, any further absences related to illness must be verified by a physician's note.

Individual Instruction for Students with Temporary Disabilities

EC 48206.3-48208, 48240; (BP 6183)

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled and after which the student can reasonably be expected to return to regular day classes or the alternative education program. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs.

A student enrolled in regular day classes or alternative education program who has a "temporary disability" that makes attendance impossible or inadvisable may receive individualized instruction for one hour a day, following the same calendar as—regular school - meaning, vacations and holidays are observed on the same schedule.

It is the responsibility of the parent to notify the school when a student has a temporary disability. Once notified that a student has a temporary disability, the District must determine within five working days whether the student should receive individual instruction. If determined that individual instruction is appropriate, the instruction will begin within five working days from the date the determination was made.

If a student with a temporary disability is in a hospital or other residential health facility ("qualifying hospital"), excluding a state hospital, that is located outside the school district in which the student's parent resides, it is the parent's responsibility to notify the school district in which the qualifying hospital is located of the student's presence. The location of the qualifying hospital is considered the student's place of residence during their stay there; therefore, the student will receive individual instruction by the school district in which they are temporarily residing. The school district may enter into an agreement with the student's previous school district to have that district provide the student with individual instruction.

The District may continue to enroll a student with a temporary disability who is receiving individual instruction in a qualifying hospital to facilitate the timely reentry of the student in their prior school after the hospitalization has ended, or to provide a partial week of instruction at school or at home to a student who is no longer confined to the hospital setting. The total days of instruction may not exceed the maximum of five days in the combined setting, and attendance may not be duplicated. The supervisor of attendance will ensure that absences from the regular school program are excused until the student is able to return to that program.

INSTRUCTION

School Accountability Report Card

EC 33126, 35256, 3525841409.3; (BP/AR 0510)

The school accountability report card (SARC) is designed to provide a variety of data to allow parents to evaluate and meaningfully compare schools in terms of student achievement, environment, resources and demographics so they can make informed decisions on school enrollment for their children. The most current SARCs (English and Spanish) may be found on the district website: www.ssusd.org and each school's individual website. Parents may request a hard copy of the SARC from their school site principal.

Title I Program Participation

20 USC 6312, 6314, 6318; 34 CFR 200.61, EC 64001, 11503, 11504; (BP/AR 6020, 6171)

Schools may operate as Title I Schoolwide if the school receives Title I funds and has at least 40 percent of the students from low income families. In order to improve the academic achievement of students from economically disadvantaged

families, the District uses federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

The District, and each school receiving Title I funds, has developed a written parent involvement policy in accordance with 20 USC 6318 and holds an annual Title I public meeting to inform parents of their program. Any participating school has also developed, annually reviews, and updates a School Plan for Student Achievement (SPSA), which incorporates the plan required by 20 USC 6314 for reforming the school's total instructional program and plans required by other categorical programs.

School Site Council

The role of the School Site Council (SSC) is to develop, implement, and evaluate the SPSA, which includes strategies to increase student achievement and the allocation of categorical funds. The SSC must approve the plan and recommend it to the Governing Board for approval. The SSC will also annually review the SPSA, establish a new budget, and make necessary modifications to reflect changing needs and priorities.

Professional Qualifications of Teachers

20 USC 6312; (BP 4222, 6171)

Parents of students who attend a school receiving Title I funds may request information regarding the professional qualifications of their students' classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

A school that receives Title I funds will also provide to each individual parent information on the level of achievement and academic growth of their child, if applicable and available, on each of the required State academic assessments, and timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Review of Curriculum

EC 49063(k), 49091.14

The curriculum, including titles, descriptions and instructional aims of every course offered are compiled and reviewed at least once annually. Information regarding curriculum is available for review upon request. Copies are available for a reasonable fee not to exceed the actual copying cost.

Course Selection & Career Counseling

EC 221.5(d); (BP 6164.2)

Beginning with 7th grade, school personnel shall assist students with course selection and career counseling, and parents are notified that they may participate in career counseling and course selection along with their children. A school counselor, teacher, instructor, administrator, or aide will not offer vocational or school program guidance to a student or, in counseling a student, differentiate career, vocational, or higher education opportunities, on the basis of the student's sex.

Any school personnel acting in a career counseling or course selection capacity to a student will affirmatively explore with the student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex.

High School Graduation Requirements

EC 51225.1, 51225.3; (BP 6146.1)

Students should, upon graduation, have opportunities that prepare them for postsecondary education and career success. To that end, requirements have been designed to promote choices, whether career or academic, to give every student a springboard to a successful life. Please review the course catalog for a complete list of courses.

To obtain a diploma of graduation, students must complete the course of study prescribed by the District at the high school where they are enrolled. These requirements include earning a 2.0 or above grade point average from having successfully completed a minimum of 230 credits.

A student who transfers between schools any time after their second year of high school and who is in foster care, homeless, former juvenile court school student, child of a military family, or a migratory child, or a newly arrived immigrant who is in the third or fourth year of high school and is participating in a newcomer program, may be eligible for exemption from the District's graduation coursework requirements that are beyond the state minimum requirements if they are not reasonably able to complete the District's graduation requirements by the end of their fourth year of high school.

Advanced Placement Fees

EC 52242

The District utilizes CDE grant funds to help defray the costs for advanced placement (AP) exam fees for economically disadvantaged students. Each high school AP Coordinator meets with students in AP courses each semester to review the eligibility requirements and application process to access this financial support. Please contact the head counselor for more information.

Career Technical Education (CTE)

EC 51229

A Career Technical Education (CTE) program of study involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. For more information about CTE visit: <https://www.cde.ca.gov/ci/ct/>.

Prior to the beginning of each school year, the District advises students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The District will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the CTE program. (Board Policy 6178) (20 USC 2354; 34 CFR 100 Appendix B, 104.8, 106.9)

Career Technical Education Opportunities Offered to All Students: The governing board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program is designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program includes a rigorous academic component and provides students with practical experience and understanding of all aspects of an industry. (Board Policy 6178)

The District currently offers CTE programs as follows at Burroughs High School:

- **Automotive Systems Diagnostics/Service & Repair:** Prepares students to use diagnostic equipment to find automotive operational faults, document the faults, and repair them.
- **Cabinetry, Millwork, and Woodworking:** Students engage in the planning, design, layout, and technical drawing interpretation for practical use in cabinetry, millwork, and woodworking. Provides students with knowledge of different cabinet and furniture styles, wood products and materials, and proper tool selection.
- **Engineering Design:** Provides a strong foundation in engineering and design. The students are engaged in an instructional program that integrates academic and technical preparation and focuses on career awareness, exploration, and preparation.
- **Food Service and Hospitality:** Prepares students for careers in the restaurant and retail food service occupations. Focus on knowledge of safety and food sanitation, cooking methods, and principles.
- **Production and Managerial Arts:** Students engage in both the technical skills and the organizational and managerial knowledge necessary to bring arts, media, and entertainment to the public.
- **Public Safety:** Prepares students for Public Safety occupations including police, corrections, and homeland security. Students learn about the theories, principles, and techniques including policies, procedures, and skills needed in services that provide for the safety and security of people and property and prevention of theft and damage.
- **Welding and Materials Joining:** Provides students with an understanding of manufacturing processes and systems common to careers in welding and related industries.

For inquiries regarding CTE pathways, contact:

Carrie Cope
 Burroughs High School Principal
 500 E. French Ave.
 Ridgecrest, CA 9355
 (760)499-1800
 ccope@ssusd.org

Higher Education Information (College Admission Requirements)

EC 48980(k), 51225.7, 51225.8, 51229, (BP/AR 6143)

Minimum Course Requirements for UC/CSU Admission

To gain admission into the University of California (UC) or California State University (CSU) systems, a student must complete a minimum of 15 college-preparatory courses (e.g., A-G requirements) with a grade of "C" or better. The course requirements are defined in the following sections.

California State University System (For students graduating in 2024)

The California State University System requires the following pattern of college preparatory subjects in grades 9 through 12. (SAT Reasoning test or ACT is required.) (All grades must be a 'C' or better.)

English	4 Years	40 Semester Periods
Mathematics	3 Years	30 Semester Periods
Social Science	2 Years	20 Semester Periods
Laboratory Science	2 Years	20 Semester Periods
Foreign Language	2 Years (<i>same language</i>)	20 Semester Periods
Visual and Performing Arts	1 Year (<i>same language</i>)	10 Semester Periods
College Preparatory Electives	1 Year	10 Semester Periods

TOTAL:	150 Semester Periods
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University of California System (For students graduating in 2024)

A student applying for admission as a freshman to any branch of the University of California or Cal. State University must have completed a minimum of fifteen units (150 semester periods) of high school work during grades 9-12. A one-year course is equal to one unit; a one-semester course is equal to one-half unit.

Fifteen of these required units must have been earned in academic or college preparatory courses, as specified and defined below. Eleven of the fifteen required courses must be completed prior to the beginning of the senior year. Also, at least seven of the fifteen units must have been earned in courses taken during the last two years of high school. (ACT or SAT Reasoning Test are required.) SAT Subject Area Tests are no longer required. However, particular SAT Subject Area Tests may be required to demonstrate proficiency in competitive majors.

'A-G' Course Requirements

- A. **History/Social Science:** *(2 years required)* One year of United States history (or one-half year of United States history and one-half year of civics or American government) and one year of world history, cultures or geography.
- B. **English:** *(4 years required)* Four years of college preparatory English--composition and literature. (Not more than two semesters of ninth grade English will be accepted for this requirement.)
- C. **Mathematics:** *(3 years required, 4 recommended)* Three years of mathematics--elementary algebra, geometry, and advanced algebra. (Mathematics courses taken in grades 7 and 8 may be used to meet part of this requirement if they are accepted by the high school as equivalent to its own courses.)
- D. **Laboratory Science:** *(2 years required, 3 recommended)* Fundamental knowledge in at least two of these three areas: biology, chemistry, or physics.
- E. **Foreign Language:** *(2 years required, 3 recommended)* Two years of the same foreign language. (Foreign language courses taken in grades 7 and 8 may be used to meet this requirement if they are accepted by the high school as equivalent to its own courses.)
- F. **Visual & Performing Arts:** *(1 year required)* One year of approved art, ceramics, drawing, painting, drama, chorus, band, or digital multimedia design.
- G. **College Preparatory Electives:** *(1 year required)* One year in addition to those required in 'a' through 'e' above, to be chosen from the following subject areas: history, English, advanced mathematics, laboratory science, foreign language, social science, and visual and performing arts.

****Courses Satisfying the 'g' Requirement***

History and English: Additional courses that meet the UC/CSU 'a-g' requirement.

Advanced Mathematics: Courses beyond Advanced Algebra that meet the UC/CSU 'a-g' requirement.

Laboratory Science: Additional courses that meet the UC/CSU 'a-g' requirement.

Foreign Language: Elective courses may be in either the same language used to satisfy the 'e' requirement or in a second foreign language. If a second language is chosen however, at least two years of work in that language must be completed.

Visual and Performing Arts:

Drawing 3, 4, 5, 6, AP; Painting 3, 4, 5, 6, AP; Ceramics/Sculpture 3, 4, 5, 6, AP; Drama 1, 2, 3; Drama Company, Technical Theater 1, 2; and Digital Multimedia Design.

Electives:

AVID 9, AVID 10, AVID 11, AVID Senior Seminar, Newswriting, Intro to Engineering Design (CTE PLTW), Principles of Engineering (CTE PLTW), Digital Electronics (CTE PLTW)

University admission requirements frequently adjust to meet the academic demands of higher education. Students should meet with their high school counselor early in the SOPHOMORE year to plan adequately for the changes in admission requirements that may be announced for the following year.

Information about college admission requirements and high school courses that satisfy requirements for admission to UC and CSU is available at the following websites:

- University of California www.universityofcalifornia.edu
- University of California a-g requirements <https://hs-articulation.ucop.edu/>
- Cal State University <https://www2.calstate.edu/>
- Early Assessment Program (EAP) <http://www.cde.ca.gov/ci/gc/hs/eapindex.asp>
- Financial aid Information - FAFSA <https://studentaid.gov/>
- California Student Aid Commission, California Dream Act Application - <https://dream.csac.ca.gov/>
- College Board (for information including SAT, PSAT, and AP testing) www.collegeboard.org
- ACT Testing Information www.act.org

California Community College

A California Community College (CCC) is an additional option for students who wish to continue their education after high school. The CCC system consists of over 100 colleges, with a large number of additional campus centers and classrooms throughout the state. Each college offers a diverse array of educational programs, with specializations that reflect the unique character of the local region.

A broad range of student goals can be met by the CCC, from associate degree to university transfer, from personal growth to professional training. There are many student services to help you choose your path and stay on it, including academic counseling, financial aid, and tutoring.

CCCs are required to admit any California resident possessing a high school diploma or any person over the age of 18.

For more information on college admission requirements, please refer to the following web pages:

- www.cccco.edu - This is the official website of the CCC system. It offers links to all of the California Community Colleges.
- www.assist.org - This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

California High School Proficiency Exam

5 CCR 11523; EC 48412

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible students who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A student who receives a Certificate of Proficiency may, with verified approval from the parent, leave high school early. The Certificate of Proficiency is equivalent to a high school diploma; however, it is not equivalent to completing all course work required for regular graduation from high school.

Students planning to continue their studies in a college or university should contact the admissions office of the institution to find out if the Certificate of Proficiency will meet admission requirements.

A student is eligible to take the CHSPE only if they meet one of the following requirements on the test date: (1) is at least 16 years old; (2) has been enrolled in the tenth grade for one academic year or longer; or (3) will complete one academic year of enrollment in the tenth grade at the end of the semester during which the CHSPE regular administration will be conducted. A fee for each examination application will not be charged to a homeless or foster youth under the age of 25. For more information, including administration dates and registration deadlines, visit the following website: <https://www.chspe.net/>

Acceptable Use of Technology

EC 48900 et seq., 48901.5, 48901.7, 16 CFR 312.1 et seq., 47 CFR 54.520; 20 USC 7131, 15 USC 6501-6506, 47 USC 254; PC 313, 502; (BP/AR 5145.12, BP 5131.8, 6163.4)

The District's Acceptable Use Policy outlines the rules governing student and employee use of District and school data communication networks, the intranet, and internet safety, and provides education about appropriate online behavior, including interacting with other individuals on social media networking sites, and cyberbullying awareness and response.

Technological resources provided by the District are intended to be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources receive instruction in their proper and appropriate use. Staff are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

Before a student is authorized to use District technology, the student and the student's parent must sign and return the Acceptable Use Agreement. In that agreement, the parent agrees not to hold the District or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and agrees to indemnify and hold harmless the District and district staff for any damages or costs incurred.

Definitions

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

District data means information maintained and processed in the conduct of district business as required by state or federal mandate and/or district procedure. Confidentiality restrictions may apply to information maintained as district data records and to all copies of those records.

District system means any computer, information system or device owned or operated by the District or operated on behalf of the District including hosted systems and services that are physically located outside the District.

Computer includes any hardware, software, or other technology attached or connected to, installed in, or otherwise used in connection with an electronic data processor.

System administrator is the person(s) responsible for managing, maintaining or securing computers, network services, data and/or information systems.

Technology protection measure means a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors.

Harmful to minors means any picture, image, graphic image file, or other visual depiction that-

- Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Compliance with the Children's Internet Protection Act (CIPA)

The District's Internet safety policy is adopted and implemented to address:

- Access by minors to inappropriate matter on the Internet;
- The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
- Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- Measures restricting minors' access to materials harmful to them.

Prohibited Use

Users of the District's technology must not:

- Use the Internet for any illegal purpose, including the violation of copyright or other laws.
- Violate the rules of common sense or etiquette.
- Transmit or access any material in violation of Board Policy or any federal or state regulation.
- Use the system to threaten, intimidate, harass, ridicule, or otherwise cyberbully other students or staff.
- Access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, pornographic or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
- Use the system to encourage the use of drugs, alcohol, or tobacco.
- Promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
- Use vulgar or other inappropriate language.
- Disclose, use, or disseminate personal identification information about themselves or others including but not limited to personal addresses, phone numbers or other personal information when using email, or other forms of electronic communication; or disclose such information by other means to individuals contacted through the Internet without the permission of their parents.
- Attempt to harm or destroy district equipment or system performance.
- Attempt to harm or destroy another person's data or manipulate the data of any other user, including so-called "hacking".
- Knowingly attempt to upload or create computer viruses or other malicious software.
- Attempt to gain access to unauthorized resources or entities.
- Share passwords or use an account assigned to another user with or without their permission.
- Attempt to bypass security measures whether or not this action causes additional harm.
- Attempt to interfere with other users' ability to send or receive email; or attempt to read, delete, copy' modify another's files; or use another individual's identity.
- Use the District's system to engage in commercial or other for-profit activities.
- Perform activities that interfere with the ability of students or staff members to use the District's technology resources or other network-connected services effectively.

Cyberbullying

Staff and students will not use personal communication devices or district property to cyberbully one another. Cyberbullying is the use of any electronic communication device to convey a message in any form (e.g., text, image, audio, or video) that intimidates, harasses, or is otherwise intended to harm, insult, or humiliate another in a deliberate, repeated, or hostile and unwanted manner, including, but not limited to:

- Spreading information or pictures to embarrass
- Making rude, insulting, or vulgar remarks online
- Isolating an individual from his or her peer group
- Using someone else's screen name and pretending to be that person
- Forwarding information or pictures meant to be private

Copyright

Users of the District's systems and networks must follow copyright laws at all times. Students should refer all questions regarding copyright concerns to their teacher or a school administrator. The following examples are representative, not exhaustive. Users are prohibited from:

- Downloading, posting, reproducing or distributing music, photographs, video or other works in violation of applicable copyright laws.
- Engaging in plagiarism. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.

Personal Use of District Technology

Personal use of district technology is prohibited if:

- It interferes with the use of computer or network resources by the District;
- Such use burdens the District with additional costs;
- Such use by a staff member interferes with the staff member's employment duties or other obligations to the District;
- Such use by a student interferes with the student's academic responsibilities; or
- Such use includes any activity that is prohibited under any district board policy, or under state or federal law.

Email

Users of electronic mail systems should not consider electronic communication to be either private or secure; such communications are subject to review by authorized district personnel, may be subject to preservation or discovery during civil litigation, and may be subject to review by the public under the Public Records Act. Messages relating to or in support of illegal activities must be reported to appropriate authorities. Other conditions for use include, but are not limited to:

- Individuals are to identify themselves accurately and honestly in email communications. Email account names and/of addresses may not be altered to impersonate another individual or to create a false identity.
- The District retains the copyright to any material deemed to be district data. Use of district data sent as email messages or as enclosures will be in accordance with copyright law and district standards.

User Responsibilities (Etiquette)

A responsible user must:

- Be aware that the use of the Internet is a privilege, not a right.
- Be aware that inappropriate use may result in loss of privilege.

- Use the Internet for educational purposes.
- Use the Internet in support of the educational objectives of the District.
- Preserve the physical safety and emotional integrity of others.
- Protect one's own and others' reputations and the right to privacy.
- Use appropriate language.
- Notify a teacher or administrator of any security problem.
- Use Internet etiquette when sending electronic mail (email).
- Be aware that email is not guaranteed to be private.
- Keep personal account numbers and passwords private and only use the account to which they have been assigned.
- Report any inappropriate/questionable email contacts, access to inappropriate websites, misuse of the system, or any security problem to a teacher or an administrator.

Filtering/Protection Measures

The District provides an Internet content filter to protect its students. Even though the District has taken all responsible actions to ensure that Internet use is only for purposes consistent with the school curriculum, it is impossible to guarantee that all inappropriate sites are filtered and blocked. The District cannot prevent access to, nor identify, all areas of inappropriate materials on the Internet making it necessary for students to be supervised at all times while using online services. The District makes no guarantees of any kind, whether express or implied, for the service it is providing. The District will not be responsible for any damages a user incurs. Use of any information obtained via the Internet is at the user's own risk. The District denies any responsibility for the accuracy or quality of information obtained through its Internet facilities. All users need to consider the source of any information they obtain and evaluate how valid that information may be.

Security

Security on any computer system is a high priority. If a user can identify a security problem on the District's systems or network, the user should notify the District's Technology Services Department either in person, in writing, or via email. Users should not demonstrate the problem to other users. Any user identified as a security risk or having a history of misconduct or misuse with other computer systems may be denied access to the District's systems and network.

In order to verify, improve or maintain the security of the District's systems or network, system administrators or contracted third parties may conduct assessments that include attempts to violate the District's security controls. Such assessments require express written authorization by the District clearly defining and limiting the scope of assessment.

Monitoring Privacy

The District reserves the right to monitor any material placed on its computers or transmitted over its network in order to determine whether specific uses of its computers, its network or the Internet are inappropriate. Users have no expectation of privacy, and the district staff may monitor or examine all system activities to ensure proper use of the system. It is expected that users will employ appropriate etiquette and common sense. The District reserves the right to suspend or terminate the account of any user who misuses the account.

Confidentiality of Personally Identifiable Information

Employees who have or may have access to personally identifiable student records will adhere to all standards included in the Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPPA), Children's Online Privacy Protection Act (COPPA), and other applicable laws and regulations, as they relate to the release of student information.

Employees may not disclose sensitive or personally identifiable information regarding students to individuals and/or parties not authorized to receive it. Authorization to disclose information of a student to individuals and/or parties must strictly adhere to regulations set forth in FERPA.

Information contained in these records must be securely handled and stored according to district directives, rules and policies and, if necessary, destroyed in accordance with state information retention standards and archival policy.

Violations

Penalties for violating the District's policy may include:

- Suspension of account and network privileges.
- Appropriate school disciplinary action (for students).
- Appropriate employee disciplinary action (for employees).

Violations that include criminal activity will be reported to law enforcement.

California Healthy Youth Act

EC 51934, 51937-51939; (BP 6142.1)

The California Healthy Youth Act requires schools to offer integrated, comprehensive, accurate, and unbiased sexual health and human immunodeficiency virus (HIV) prevention education at least once in middle school and once in high school. It is intended to ensure that students in grades 7-12 are provided with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. It also promotes students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

SSUSD students in grades 8 and 10 will be enrolled in a 9-week health class designed to meet this requirement.

Anonymous, voluntary, and confidential research and evaluation tools to measure students' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex, may be administered to any pupil in grades 7 to 12, inclusive.

Parents have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education and any test, questionnaire, or survey to be administered for research on student health behaviors and risks.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education or participate in research on student health behaviors and risks. When a parent does not permit their child to receive such education or participate in such research, the child may not be subject to disciplinary action, academic penalty, or other sanction.
3. Request a copy of EC 51930-51939, the California Healthy Youth Act.
4. Be informed whether the comprehensive sexual health or **HIV** prevention education **will** be taught by District personnel or outside consultants. When the District chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker
 - c. The right to receive a copy of EC 51933, 551938
5. Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks is being administered, an alternative educational activity will be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

Excuse from Health Instruction which Conflicts with Religious or Moral Beliefs

EC 51240; (BP/AR 6142.8)

During the school year, the instructional program in some classes at some grade levels may include instruction about health. If such instruction will conflict with the religious training, beliefs, or personal and moral convictions of a student's family, please advise the principal of the student's school in writing so the student may be excused from this phase of the instructional program.

Excuse from Harmful or Destructive Use of Animals for Instructional Purposes

EC 32255 et seq.; (BP/AR 5145.8)

Any student with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform their teacher of the objection. Objections to participating in an educational project involving the harmful or destructive use of animals must be substantiated by a note from the student's parent. A student who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal will not be discriminated against based on their decision to exercise their rights and may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the student to develop and agree upon an alternative education project so that the student may obtain the knowledge, information, or experience required by the course of study in question. The alternative education project must require a comparable time and effort investment by the student- it cannot be more difficult than the original education project. A student who chooses an alternative educational project must still pass all examinations from the course in order to receive credit; however, if the tests require the harmful or destructive use of animals, the student may, similarly, ask for alternative tests.

Physical Education Apparel

EC 49066; (AR 5132)

Pursuant to guidance issued by CDE and state law, school sites may require students to wear standardized clothing for P.E., including clothing of a specific color and design suitable for general wear outside of school. As such, each District school requires students to wear standardized clothing for P.E.

Students may purchase a P.E. uniform compliant with the general design requirements through the school. However, students are not required to purchase their P.E. uniform from the school, and students may wear existing clothes or purchase clothes from other sources compliant with the school site's P.E. uniform general color and design requirements.

Students unable to comply with the uniform requirements should inform their P.E. instructor. If a student does not bring compliant P.E. clothes to class, "loaner uniforms" are available from the P.E. office.

No student's P.E. grade may be adversely affected due to the fact that the student does not wear standardized P.E. clothes where the failure to wear such clothes arises from circumstances beyond the student's control.

English Language Proficiency Assessment

EC 310, 313; (BP/AR 6174)

State and federal laws require all school districts in California to administer the English Language Proficiency Assessments for California (ELPAC) to students in grades TK-12 whose primary language is not English as determined by

the Home Language Survey conducted as part of the enrollment process. There is no opt-out process to exempt students from taking the ELPAC.

The purpose of the assessment is to identify students who are:

- Limited English proficient for classification as an English Learner (EL) OR as Initial Fluent English Proficient,
- To determine the student's specific level of English language proficiency, and
- To identify the services necessary for EL students in the acquisition of enhancing their skills in the areas of listening, speaking, reading, and writing in English.

Once identified as an EL, the student will be required to take the state mandated ELPAC annually and is provided with English Language Development (ELD) services designed to help them reach a reclassification status of Fluent English Proficient.

Limited English Proficient Students

EC 440; (BP/AR 6174)

Parents will be notified within 30 days after the start of the school year of their student's English language proficiency. The notice will include the following information:

1. The reason for the student's classification as limited English proficient.
2. The level of English proficiency.
3. A description of the program for the ELD instruction.
4. Information regarding a parent's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program.
5. Information designed to assist a parent in selecting among available programs, if more than one program is offered.

The District remains obligated to take affirmative steps and appropriate action required by civil right laws to provide the EL student meaningful access to its educational program. The student will be designated as an EL until all reclassification criteria are met. Parents may request more information from their school site principal.

Statewide Testing

5 CCR 852; EC 60615; (BP 6162.51)

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

The California Assessment of Student Performance and Progress (CAASPP) is a system that includes a number of assessments that are administered each spring to students in specified grade levels. These tests were created specifically to gauge each student's performance and progress in English language arts, mathematics, and science. The assessments measure the skills called for by the standards, including the ability to write clearly, think critically and solve problems. CAASPP tests are given statewide and therefore provide an opportunity to measure the skills of all students against the same academic standards.

A parent may annually submit to the District a written request to excuse their student from any or all parts of the CAASPP assessments for the school year, and such a request will be granted by the Superintendent or designee. If a parent submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent and included in the student's records. Requests are valid only for the current school year. For more information or questions regarding the right to excuse a student from any or all part of the assessments administered, please contact the District Testing Coordinator at (760)499-1640.

Helpful links:

- CAASPP (online practice and training tests portal) - <http://www.caaspp.org/practice-and-training/index.html>
- California Department of Education, CAASPP Information - <https://www.cde.ca.gov/ta/tg/ca/>
- Starting Smarter - <https://ca.startingsmarter.org/>
 - Resources to help understand the student score reports
 - Access to sample test questions and practice tests
 - No-cost resources to support learning
 - A guide for parent-teacher conferences

Investing for Higher Education

EC 48980(d)

Receiving a college or university education can lead to many benefits: increased opportunities, a prosperous career, financial security, and improved quality of life. To ensure that students can afford going to college and not be weighed down by student loan debt, parents are highly encouraged to start saving for college as soon as they can. As with any investment, the earlier money is saved, the more time it has to grow. Investment options include, but are not limited to, a savings account, 529 college plan, Roth IRA, Uniform Gift to Minors Act (UGMA) or Uniform Transfer to Minors Act (UTMA), trusts, or United States savings bonds. Students can also contribute by applying for scholarships, taking Advanced Placement classes, getting a full-time job in the summer or a part-time job during the school year, and opening a savings account. For information regarding financial aid and scholarships, please contact the student's counselor.

STUDENTS WITH DISABILITIES

Special Education - IDEA

34 CFR 300.111; EC 56026, 56300, 56301; (BP/AR 6164.4)

Special education programs and services are provided to students with identified disabilities which adversely impact the students' educational program. The Individuals with Disabilities Education Act (IDEA) defines "children with disabilities" to mean children with intellectual disabilities, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, multiple disabilities, or specific learning disabilities, and who by reason thereof, need special education and related services. Eligible students are provided a free appropriate public education (FAPE) in the "least restrictive environment" (LRE).

The District actively seeks out and evaluates District residents from birth through the age of 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law. Additionally, a parent, teachers, and appropriate professionals may refer a student who is believed to have a disabling condition that may require special education programs or services by contacting the Office of Special Education Local Plan Area (SELPA) at (760) 499-1702.

Before the initial provision of special education and related services to a student with a disability, the District will conduct, with the consent of the parent, a full and individual initial evaluation of the student. The evaluation will be conducted by qualified personnel who are competent to perform the assessment and will not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. If a determination is made that a student has a disability and needs special education and related services, an individualized education program (IEP) will be developed.

Section 504

29 USC 794; 34 CFR, Part 104; (BP/AR 6164.6)

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability and requires school districts to provide education and reasonable accommodations to students with identified disabilities even if they do not qualify for special education under the IDEA. The District provides FAPE to all students regardless of the nature or severity of their disability. In addition, qualified students with disabilities are provided an equal opportunity to participate in programs and activities that are integral components of the District's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities.

To qualify for Section 504 protections, the student must have a mental or physical impairment which substantially limits one or more major life activities. Some students may be eligible for educational services under both Section 504 and IDEA.

The District has a responsibility to identify, evaluate, and if eligible, provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. A parent, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

If a student needs or is believed to need special education or related services under Section 504, the District will obtain written parent consent to conduct an evaluation of the student prior to initial placement. The determination will be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent, as appropriate; and analysis of the student's needs.

If, upon evaluation, a student is determined to be eligible for services under Section 504, a team will develop a written 504 services plan that specifies the types of services, accommodations, and supplementary aids necessary to ensure that the student receives FAPE.

For additional information about the rights of parents of eligible students, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the District's Section 504 Coordinator:

Kevin Wythe
Coordinator of Student Support Services
Sierra Vista Education Center
1327 A N. Norma St. Ridgecrest, CA 93555
Email: studentservices@ssusd.org
Phone: (760) 499-1700

Surrogate Parent Appointment

34 CFR 300.519; EC 56050; GC 7579.5; (BP/AR 6159.3)

The District will appoint a surrogate parent to ensure that the rights of a child with a disability are protected under one or more of the following circumstances:

1. No parent can be identified.
2. The District, after reasonable efforts, cannot discover the location of the student's parents.
3. The student is adjudicated a dependent or ward of the court pursuant to WIC 300, 601 or 602 and specified conditions are satisfied.
4. The student is an unaccompanied homeless youth.

A surrogate parent has all the rights relative to the student's education that a parent has under IDEA. Specifically, the surrogate parent may represent the student in matters relating to identification, assessment, instructional planning and development, educational placement, review and revision of the IEP, and in other matters relating to the provision of FAPE. Additionally, the representation of the surrogate parent includes the provision of written consent to the IEP including non emergency medical services, mental health treatment services, and occupational or physical therapy services. Appointments and termination of appointments will be conducted in accordance with BP 6159.3 - Appointment of Surrogate Parent for Special Education Students.

Audio Recordings of IEP or Section 504 Meetings

EC 56341.(g); (AR 6159)

Parents and the District have the right to audio record the proceedings of IEP team meetings as long as members of the IEP team are notified of this intent at least 24 hours before the meeting. If the District gives notice of intent to audio record a meeting and the parent objects or refuses to attend because the meeting would be audio recorded, the meeting will not be audio recorded. These same provisions are applied to Section 504 meetings.

Suspension/Expulsion Considerations

34 CFR 300.530; EC 48915.5; (AR 5144.2)

Whenever a student with an IEP or Section 504 services plan is suspended for a total of more than 10 school days in the same school year or recommended for expulsion, the IEP or 504 team will convene to determine whether the misconduct was either of the following:

1. Caused by, or had a direct and substantial relationship to, the student's disability.
2. A direct result of the District's failure to implement the student's IEP or Section 504 services plan.

If either of the above conditions applies, the student's conduct is then determined to be a manifestation of their disability and no disciplinary action may be taken in relation to the misconduct. However, the IEP or 504 team will determine appropriate steps to take to mitigate reoccurrence of the student's misconduct. If the IEP or 504 team determines that the conduct is not a manifestation of the student's disability, the school may take disciplinary action (e.g., suspension or expulsion) in the same manner as it would for a student without a disability.

The District may remove a student with an IEP to an interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, if the student commits one of the following acts while at school, going to or from school, or at a school-related function:

1. Carries or possesses a weapon.
2. Knowingly possesses or uses illegal drugs.
3. Sells or solicits the sale of a controlled substance.
4. Inflicts serious bodily injury upon another person.

Complaints Concerning the District's Compliance with the Americans with Disabilities Act & Section 504

(BP/AR 1312.3)

The District's UCP may be used to process complaints concerning the District's compliance with the Americans with Disabilities Act of 1990 (ADA), Section 504, and related laws and regulations, including complaints alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the District. A complete copy of the District's UCP (BP/AR 1312.3) is included in Appendix A of this Notice.

For information regarding a student's right to be protected from discrimination, including grievance procedures, please refer to District BPs 0410 and 1312.3 and AR 1312.3 and/or contact the District's Compliance Officer at:

Bryan Auld
Assistant Superintendent of Human Resources
Sierra Sands Unified School District 113 W. Felspar Avenue
Ridgecrest, CA 93555
bauld@ssusd.org
(760) 499-1620

OCR Complaint

Parents and legal guardians also have the right to file complaints alleging disability discrimination, including violations of the ADA and/or Section 504, with the U.S. Department of Education, Office for Civil Rights (OCR). For information on how to file a discrimination complaint with OCR, please visit the following website:

<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html#:~:text=Online%3A%20You%20may%20file%20a,number%20available%20at%20this%20link.>

You may also contact the following OCR offices for information:

OCR Office for California

San Francisco Office
Office for Civil Rights
U.S. Department of Education
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102

Telephone: (415) 486-5555
Email: ocr.sanfrancisco@ed.gov

OCR National Headquarters

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue SW
Washington, D.C. 20202-1100

Telephone: (800) 421-3481
Email: OCR@ed.gov

Should you have any concerns or questions about your parent/guardian rights and/or procedural safeguards pursuant to Section 504 and/or the ADA, you may contact the District's Section 504 Coordinator at:

Kevin Wythe
Coordinator of Student Support Services
Sierra Vista Education Center
1327 A N. Norma St. Ridgecrest, CA 93555
Email: studentservices@ssusd.org
Phone: (760) 499-1700

STUDENT RECORDS

Maintenance of Student Records

5 CCR 430 et seq.; 34 CFR 99.7; EC 490601 et seq.; (BP/AR 5125, 5125.3)

A cumulative record must be maintained on the history of a student's development and educational progress. Student records are any items of information directly related to an identifiable student, other than directory information, whether recorded by handwriting, print, tapes, film, microfilm, or other means, that are maintained by the District or are required to be maintained by an employee in the performance of his or her duties. Student records do not include informal notes related to a pupil compiled by a school officer or employee that remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute. Active records are maintained at the student's school; inactive records are maintained under the supervision of the custodian of records.

Per state and federal law, the District keeps the following *mandatory permanent records* indefinitely: student's legal name, date and place of birth, sex, enter and leave date each school year, subjects taken, marks or number of credits toward graduation, verification of or exemption from required immunization, date of high school graduation or equivalent, and parent's name and address (including the student's address if different, and the annual verification of residency for both the student and the parent). The District also keeps the following *mandatory interim records* until three years after the student leaves or graduates, or their usefulness has ceased: log identifying persons or agencies who have requested or received information from the student record, health information, information on participation in special education programs, language training records, progress slips/ notices, parental authorizations/restrictions/waivers, rejoinders to challenged records, results of standardized tests administered within the past three years, expulsion orders, and independent study evaluation and findings. *Permitted records*, which are records that the District has determined important to maintain, may include, but are not limited to, objective counselor and teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavior patterns, disciplinary notices, and attendance records.

The District will not collect or solicit social security numbers or the last four digits of social security numbers of students or parents, except as required by state or federal law or as required to establish eligibility for a federal benefit program. Additionally, the District will not collect information or documents regarding the citizenship or immigration status of students or their family members, unless required by state or federal law or as required to administer a state or federally supported educational program.

On an annual basis, records that are not designated as mandatory permanent records are reviewed to determine any records that still need to be retained and those that are appropriate for destruction.

The Coordinator of Student Services has been designated as the custodian of records for all schools operated by the District, and at each school site, the principal serves as the custodian of records for students enrolled at their school. The custodian of records is responsible for implementing the policies and procedures related to student records; in particular, they must protect the student and the student's family from invasion of privacy by ensuring only authorized persons may access student records.

Access to Student Records

34 CFR 99.7, 99.34; EC 49063, 49064, 49069.7, 49077; (BP/AR 5125)

Access means personal inspection and review, request and receipt, and oral description or communication of any record. A log is maintained in each student's record that lists all persons, agencies, or organizations that have requested or received information from the records and the legitimate educational interest of the requester. The log is available for inspection by a parent.

School officials and employees with legitimate educational interests may access student records without parental consent as long as access to such records is required to fulfill their duties and responsibilities, whether routine in nature or as a result of special circumstances. School officials and employees are persons employed by the District and include Board members and contractors or consultants with whom the District has contracted to perform a special service or function.

A student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Parents have the right to:

1. Inspect and review the student's educational record maintained by the school
2. Request that a school correct records which they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights (*see notification on "Challenging Student Records"*)
3. Consent to disclosures of personally identifiable information contained in the student's records, except to the extent that State and Federal laws authorize disclosure without consent, and request a copy of the records that were disclosed
4. 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. 20202-4605

When a student turns 18 years of age, all rights regarding student records are transferred from the parent to the student. If the adult student is still claimed by the parent as a dependent for tax purposes, the parent may still access the student's records. Although noncustodial parents are not afforded the rights described above, they have the right to access their student's education records unless that right of access has been limited through a court order.

Information other than directory information is not provided to individuals or groups other than school personnel without written parent consent, except to the extent that Family Educational Rights and Privacy Act (FERPA) and/or the Education Code authorize disclosure without such consent. Information concerning a student shall be furnished in compliance with a court order or a lawfully issued subpoena. The District shall make a reasonable effort to notify the parent and the pupil in advance.

A request by a parent to access or disclose their student's educational records must be submitted in a written form to the school principal, who will, in turn, have 5 business days from the day of receipt of the request to fulfill the request. All written requests must indicate the specific records or information to be accessed or disclosed. If requested, qualified certificated personnel may be made available to the parent to interpret records. For requests to disclose records, the written form must also specify the person or agency to whom the records are to be released and the reason(s) for such disclosure.

Former students may receive up to two transcripts or up to two verifications of their records at no cost. Otherwise, copies of student records are subject to a charge of 25 cents per page, so long as the amount does not exceed the actual cost of furnishing the copies. Fees may be waived if it would prevent parental access to the records.

Transfer of Student Records

5 CCR 438; EC 49068; (BP 5125)

Upon request from officials of another school, school system, or postsecondary institution in which a student seeks or intends to enroll or is already enrolled, the District is authorized to disclose educational records without parental consent as long as the disclosure is for purposes related to the student's enrollment or transfer. All student records will be updated before they are transferred and will not be withheld from a requesting school because of any charges or fees owed by the student or parent.

When a student transfers to another school district or to a private school, the District will forward a copy of the student's mandatory permanent records to the new school of enrollment. The District will permanently maintain an original or a copy of the transferred records.

Mandatory interim records will be sent upon request to another California public school. Such records may also be sent to out-of-state or private schools requesting them. Permitted records may be sent to any public or private school.

If the student transfers into the District from another public or private school, the District will inform the parent of the parent's right to receive a copy of the records received from the former school. The parent will also be informed of their right to have a hearing in which to challenge the contents of that record.

Teacher Notice Regarding Student Behavior

EC 49079; (BP 0450, 4158)

State law requires that teacher(s) of each student who has engaged in, or is reasonably suspected to have engaged in, any act during the previous three school years which could constitute grounds for suspension or expulsion under EC 48900 - with the exception of the possession or use of tobacco products - or EC 48900.2, 48900.3, 48900.4, or 48900.7 be informed that the student engaged in, or is reasonably suspected to have engaged in, those acts. The information is based upon district records maintained in the ordinary course of business or records received from a law enforcement agency.

Juvenile Court Records

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 student 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 District. 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 student, allowing them to work with the student in an appropriate manner. Any information received by a teacher, counselor, or administrator will be received in confidence for the limited purpose of rehabilitating the student and protecting students and staff; the information will not be further disseminated except when communication with the student, the student's parents, law enforcement personnel, and the student's probation officer is necessary to support the student's rehabilitation or to protect students and staff.

Directory Information

20 USC 1232g; 34 CFR 99.3, 99.37; EC 49061, 49073, 49073.2; (BP/AR 5125.1)

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such information includes the 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 athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended. Directory information may include a student identification number, user identification, or other personal identifier used by the student for purposes of accessing or communicating in electronic systems as long as the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information does not include a student's social security number. Directory information also does not include the student's citizenship status, immigration status, place of birth, or any other information indicating national origin. The District will not release such information without parental consent or a court order.

The primary purpose of directory information is to allow the school and the District to include this type of information from the student's education records in certain school and/or District publications (e.g., a playbill showing the student's role in a drama production, honor roll or other recognition lists, annual yearbook, promotion programs, sports activity sheets showing weight and height of team members). Additionally, the District has determined that the following individuals, officials, or organizations may receive directory information: any school or District parent or community support organization; school resource officers; technical or professional schools or colleges and universities approved by the Superintendent of Public Instruction; military service recruiters; elected officials; Department of Public Health; and companies that publish yearbooks.

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. No directory information of a student identified as a homeless child or youth will be released unless the parent has provided written consent that directory information may be released. For all other students, directory information will not be released if their parent notifies the District in writing by the last day of school in September of each school year. Parents may complete and submit the [Directory Information Release Form](#) to opt out, or in the case of a homeless child or youth, opt in, of the release of directory information.

Additionally, the District will not include the directory information or the personal information of a student or the parent of a student in the minutes of a meeting of the Governing Board, except as required by judicial order or federal law, if the parent has provided a written request to the secretary or clerk of the Board to exclude their personal information or the name of their minor child from the minutes of a Board meeting.

Cal Grant Program

EC 69432.9; (BP 5125)

A Cal Grant is money for college that does not have to be paid back. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

In order to assist students in applying for financial aid, all students in grade 12 are automatically considered a Cal Grant applicant, and each grade 12 student's GPA will be submitted by the October 1 deadline to the California Student Aid Commission (CASC) electronically by a school or district official. A student, or the parent of a student under 18 years of age, may complete the Cal Grant GPA Opt-Out Form (*see link below*) to indicate that they do not wish for the school to electronically send CASC the student's GPA. Until a student turns 18 years of age, only the parent may opt out the student. Once a student turns 18 years of age, only the student may opt themselves out, and can opt in if the parent had previously decided to opt out the student. Notification regarding CASC and the opportunity to opt out of being automatically deemed a Cal Grant applicant will be provided to all students and their parents by January 1 of the students' 11th grade year. If the opt out form is not received by March 1 of the student's 11th grade year, the student's GPA will be submitted to CASC beginning September of the student's 12th grade year.

Cal Grant GPA Opt-Out Form: https://www.csac.ca.gov/sites/main/files/file-attachments/gpa_opt_out.pdf

Protection of Pupil Rights Amendment

20 USC 1232h; EC 51513; 34 CFR Part 98; (BP/AR 5022)

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") —
 - a. Political affiliations or beliefs of the student or student's parent;
 - b. Mental or psychological problems of the student or student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of others with whom respondents have close family relationships;
 - f. Legally recognized privileged or analogous relationships, such as with lawyers, doctors, or ministers;
 - g. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of-
 - a. Any other protected information survey, regardless of funding;
 - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - c. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational.)
3. Inspect, upon request and before administration or use-
 - a. Protected information surveys of students and surveys created by a third party;
 - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Parents who believe their rights have been violated may file a complaint online by selecting the PPRA complaint form option at <https://studentprivacy.ed.gov/file-a-complaint> or by mailing the form to: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW Washington, DC 20202.

Challenging Content of Student Records

34 CFR 99.7, 99.20; EC 49063(g), 49066, 49070; (AR 5125.3)

Following an inspection and review of student records, the parent may challenge the content of the records and/or ask for records to be expunged. The parent may file a written request with the Superintendent of the District or designee to correct, remove, or destroy any information recorded in the written records concerning their child, which is alleged to be:

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
6. In violation of the privacy or other rights of the student.

Within 30 calendar days, the Superintendent or designee will meet with the parent and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If

the allegations are sustained, the Superintendent or designee will order the correction, removal, or destruction of the information. If the Superintendent or designee denies the allegations, the parent may appeal the decision to the Governing Board within 30 calendar days. The Board will, within 30 days of receiving the appeal, determine whether or not to sustain or deny the allegations. The decision of the Governing Board is final. If the Board sustains the allegations, it will order the Superintendent to immediately correct, remove, or destroy the information from the written records of the student.

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

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with EC 49070-49071 to assist in the decision-making.

If the challenge involves a student's grade, the teacher who gave the grade will be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. To the extent practicable, the teacher will be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher is final.

Requests to challenge the content of a student's records, and its specific procedures, can be obtained from the school principal or the Student Services Department at (760) 499-1700.

HEALTH & NUTRITION

Immunization

EC 49403, 48216; HSC 120325, 120335, 120370, 120372, 120375, 120440; (BP/AR 5141.3)

To protect the health of all students and staff and to curtail the spread of infectious diseases, students must be immunized against certain communicable diseases. The District will cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. For that purpose, the District may use any funds, property, or personnel and may permit any person licensed as a physician and surgeon, or a health care practitioner acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to any student whose parents have consented in writing.

Students may not be admitted into any District school for the first time nor admitted or advanced into grade 7 unless they have met the immunization requirement, or the parent files a compliant medical exemption.

Medical exemptions can only be issued through the California Immunization Registry - Medical Exemption (CAIR-ME) website. A medical exemption filed at the school before January 1, 2020 will remain valid until the earliest of:

- When the student enrolls in the next grade span (TK/K-6th grade or 7th-12th grade).
- The expiration date on the temporary medical exemption.
- Revocation of the exemption because the issuing physician has been subject to disciplinary action from the physician's licensing entity.

Parents of students in any school are not 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 for a student in elementary school will continue to be valid until the student enters the 7th grade.

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the student's parent will

receive notice that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. 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.

To review the immunization requirements for school attendance visit <https://www.shotsforschool.org/> for the "Guide to Immunization Requirements for School Entry" and other resources regarding medical exemptions.

Immunization Record Sharing

The California Immunization Registry (CAIR) is a secure, confidential, statewide computerized immunization information system. The District has access to CAIR which allows school nurses to search the system to see if a student has received immunizations from a participating CAIR partner.

Entrance Health Screening

HSC 124085, 124100, 124105; (AR 5141.32)

State law requires that the parents of each student provide the school within 90 days after entrance to first grade documentary proof that the student has received a health screening examination by a doctor within the prior 18 months through the "Report of Health Examination for School Entry". The parent may submit a waiver on a form developed by the California Department of Health Care Services indicating that they do not want or are unable to obtain a health screening. If the waiver indicates that the parent is unable to obtain the services, the reasons should be included in the waiver. Beginning the 91st calendar day after the student's entrance into the first grade, unless school is not in session that day, a student may be excluded from school, for up to 5 days, for failing to comply or not providing a waiver. Free health screening is available for eligible students through the Child Health and Disability Prevention Program.

Oral Health Assessment

EC 49452.8; (AR 5141.3)

Many things influence a child's progress and success in school and one of the most important is their health. Children must be healthy to learn and children with cavities are not healthy. Cavities are preventable, but they affect more children than any other chronic disease. Additionally, dental disease is one of the most common reasons for school absences, and children in pain, even when they attend class, are unable to concentrate and learn.

Baby teeth are very important - they are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school. Tooth decay is an infection that does not heal and can be painful if left without treatment. If cavities are not treated, children can become sick enough to require emergency room treatment, and their adult teeth may be permanently damaged.

To make sure children are ready for school, state law requires that children have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is their first year in public school. Assessments that have happened within the 12 months before the child enters school also meets this requirement. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional. The school and District will maintain the privacy of all students' health information. A student's identity will not be associated with any report produced as a result of this requirement.

A parent of a student may be excused from complying with this requirement by indicating that the oral health assessment could not be completed because (1) it poses an undue financial burden on the parent; (2) parent lacks access to a

licensed dentist or other licensed or registered dental health professional; or (3) parent does not consent to an assessment.

For children with Medi-Cal/Denti-Cal insurance, parents can find a dentist who takes this insurance by calling (800) 322-6384 or by visiting the Denti-Cal website at <https://www.denti-cal.ca.gov/> To find a low, or no-cost clinic in the community, visit www.californiahealthplus.org

Health Examinations

EC 49451, 49452, 49452.5, 49455, 49456; (BP 5141.3, BP/AR 5141.32)

Testing of the sight and hearing of each student are conducted routinely throughout grades K-12. Male students will also be tested once for color vision in grade 1. The District may also provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis. Credentialed school nurses conduct the exams and will notify parents of any suspected problems and provide them with recommendations or requests for further action.

A parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student will be exempt from any physical examination, but if there is good reason to believe the student is suffering from a recognized contagious or infectious disease, the student shall be excluded from attendance and not permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

Students on Medication

EC 49480; (BP/AR 5141.21)

Parents are to notify the principal and school nurse if their child is on a continuing medication regimen for a nonepisodic condition. This notification must include the name of the medication being taken, the current dosage, and the name of the supervising physician. With parental consent, the principal or school nurse may communicate with the physician and may counsel with school personnel regarding possible effects of the medication on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.

Administration of Medication at School

EC 49423, 49423.1; (BP/AR 5141.21)

The school nurse or other designated school employees may assist students who need to take prescribed medication during school hours only upon written request of both the physician/ surgeon and the parent. The written request from the physician/ surgeon must include details as to the name of the medication method, amount, and time schedules by which the medication is to be taken and a written statement from the parent indicating the desire that the District assist the student in matters set forth in the statement of the physician/surgeon.

In order for a student to carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication at school, the parent must provide a written statement consenting to the self-administration and a written statement from the physician/ surgeon or physician assistant detailing the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine or inhaled asthma medication. The parent's written statement must provide a release for the school nurse or other designated school personnel to consult with the student's health care provider regarding any questions that may arise with regard to the medication and releasing the District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. A student may be subject to disciplinary action if the student uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed.

All written requests must be provided on an annual basis or when the medication, dosage, frequency of administration, or reason for administration changes. For requests regarding inhaled asthma medication, the District will also accept the

written statement from a physician/surgeon who is contracted with a prepaid health plan operating lawfully under the laws of Mexico that is licensed as a health care service plan in California as long as the statement is provided in both English and Spanish, and includes the name and contact information of the physician/surgeon.

Other than the requirements listed above, the following is a checklist to assist parents whose children need medication at school:

1. Talk to the student's doctor about making a medicine schedule that does not require the student to take medicine while at school.
2. Supply the school with all medicine the student must take during the school day. The medicine must be delivered to the school by a parent or other adult, unless the student is authorized to carry and take the medication by themselves. Except for inhalers, the student may only carry one-day's dosage.
3. Store each medicine the student must be given at school in a separate container labeled by a pharmacist licensed in the United States. The container must list the student's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take. No more than a 30-day supply of medication will be kept at the school.
4. Pick up all discontinued, outdated, and/or unused medicine before the end of the school year.

Use of Non-Prescription Medicines/Health Products

EDC 48980(a), 49423, 49423.1; (BP/AR 5141.21)

Students may neither possess nor use any of the following products while they are under school jurisdiction: over-the-counter medications (*e.g.*, pain relief medication, cough drops, eye drops); nutritional supplements (*e.g.*, vitamins, minerals); or similar potentially harmful, consumable products such as energy and/or mood enhancers. Parents who believe that use of such products at school is essential to the health of their child(ren), may apply for authorization from the school principal. Authorization will not be granted except under the same conditions, which apply to the use of medications at school, namely, the submission of a detailed written statement from a physician or a written request by the parent releasing the District and school personnel from any civil liability.

Accident or Illness

EC 49407; (BP/AR 5141)

First aid is administered in the event of minor injuries to students. Attempts will be made to locate a parent for a major illness or injury; therefore, it is critical that the emergency contact information be kept as current as possible. If a parent or emergency contact cannot be located, it may be necessary to call for emergency medical services for treatment or transportation at the parent's expense. A district employee, physician, or hospital treated any student are not to be held liable for reasonable treatment of the student without the consent of a parent when the student is ill or injured during regular school hours, requires reasonable medical treatment, and the parent cannot be reached, unless the parent has previously filed with the District a written objection to any medical treatment other than first aid.

Crutches, wheelchairs, and other devices require a doctor's prescription indicating directions for use and that the student has been educated to use the device.

Injuries and illnesses occurring at home should be cared for at home. Upon a student's return to school parents are to provide documentation from healthcare providers indicating any limitations or special considerations/equipment necessary to the student's continued care at school.

Insurance for Members of Athletic Teams

EC 32221.5, 49471; (BP 6145.2)

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. The insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling 1-800-880-5305.

Members of school athletic teams include members of school bands, orchestras, cheerleaders and their assistants, dance team, team managers and their assistants, and any student selected by the school or student body organization to directly assist in the conduct of the athletic event.

The District does not provide accidental injury insurance for students injured while participating in athletic activities.

Medical and Hospital Services and Insurance for Students

EC 48980(a), 49472; (BP 5143)

The Governing Board may, under certain conditions, provide medical services for injuries occurring on District premises during school-sponsored activities or when being transported to and from school-sponsored activities. However, medical and hospital services for students injured at school or school sponsored events, or while being transported, are insured at the parent's expense. No student will be compelled to accept such services without their consent, or if the student is a minor, without the consent of a parent.

Automated External Defibrillators

HSC 1797.196; (BP/AR 5141)

Automated external defibrillators (AED) are placed at District school sites. Trained employees are available to respond to an emergency that may involve the use of an AED during the hours of classroom instruction.

Emergency Epinephrine Auto-Injectors

EC 49414; (BP/AR 5141.21)

An emergency epinephrine auto-injector may be administered by a trained employee to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school. Emergency services (911) will be contacted if an emergency epinephrine auto-injector is administered.

Access to Mental Health Services

EC 49428

A child's mental health is essential to their social and cognitive development, and how to cope when there are problems. Mentally healthy children have a positive quality of life and can function well at home, in school, and in their communities. Mental health problems that are not recognized and treated in childhood can lead to severe consequences, including exhibiting serious behavior problems, being at higher risk of dropping out of school, and having an increased risk of engaging in substance abuse, criminal behavior, and other risk taking behaviors. As such, the District is committed to promoting the well-being of its students by ensuring that, at least twice a year, students and parents are provided with information on how to initiate access to available student mental health services at school and/or in the community.

In our local community, there are resources that provide services for students and their families. For more information on these services and other support services available at school, please see the student's counselor school site administrator, or contact Student Support Service to gain more information.

Head Lice Information

(BP/AR 5141.33)

Regular classroom head checks are no longer a part of district guidelines. However, parents will be notified if their student is found to have live lice or nits. Because head lice are not uncommon and are easily spread, the Superintendent or designee shall send information about the treatment and control of head lice to parents/guardians as needed to prevent the spread. Students are allowed to come back to school the next day, provided a head lice shampoo has been used. The lice shampoo needs to be repeated in 7-10 days.

To eliminate head lice successfully, it is very important that all treatment instructions and steps be carefully followed and completed. It is important for families to follow recommended procedures to address lice that may remain in the home. Bedding, clothing, upholstered furniture, including car seats, may harbor lice and nits. Thorough cleaning is required to prevent continued infestation with lice. If you have any questions, please refer to the Center for Disease Control and Prevention website at <https://www.cdc.gov/parasites/lice/head/index.html> or contact the school nurse.

Type 1 Diabetes

EC 49452.6; BP5141.3

Type 1 diabetes in children is an autoimmune disease that can be fatal if untreated, and the guidance provided is intended to raise awareness about this disease.

Type 1 diabetes usually develops in children and young adults but can occur at any age.

- According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths to 35 per 10,000 youths, respectively.
- The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

Type 1 diabetes affects insulin production.

- As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
- In type 1 diabetes, the body's pancreas stops making insulin, and blood glucose levels rise.
- Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
- Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

Risk Factors Associated with Type 1 Diabetes

It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.

Risk Factors

Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks of months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

- Increased thirst
- Increased urination, including bed-wetting after toilet training
- Increased hunger, even after eating
- Unexplained weight loss
- Feeling very tired
- Blurred vision
- Very dry skin
- Slow healing of sores or cuts
- Moodiness, restlessness, irritability, or behavior changes

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

- Fruity breath
- Dry/flushed skin
- Nausea
- Vomiting
- Stomach pains
- Trouble breathing
- Confusion

Types of Diabetes Screening Tests That are Available

- Glycated hemoglobin (A1C) test - A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) Blood sugar test - A blood sample is taken any time without fasting. A random blood sugar level of 100 milligrams per deciliter (mg/dl) or higher suggests diabetes.
- Fasting blood sugar test - A blood sample is taken after an overnight fast. A level of 126 mg/dl or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test - A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dl after two hours indicates diabetes.

Type 1 Diabetes Treatments

There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment. If your child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. Your child's health care provider may refer your child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

Contact your student's school nurse, school administrator, or health care provider if you have questions.

Type 2 Diabetes

EC 49452.7; (BP 5141.3)

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

Type 2 diabetes is the most common form of diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children but it is becoming more common especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

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

Risk Factors

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- Family history of diabetes. Many affected children have at least one parent with diabetes or have a significant family history of the disease.
- Inactivity. Being inactive further reduces the body's ability to respond to insulin.
- Specific racial/ethnic groups. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- Puberty. Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms

Warning signs and symptoms of type 2 diabetes in children develop slowly and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fat levels

Prevention Methods and Treatments

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

- Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.
- Get more physical activity. Increase physical activity to at least 60 minutes every day.
- Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

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

Types of Diabetes Screening Tests That Are Available

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Concussion and Head Injuries

EC 49475; (BP/AR 6145.2)

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. As such, any athlete who is suspected of sustaining a concussion or head injury in a school-sponsored athletic activity will be immediately removed from the athletic activity for the remainder of the day and will not be permitted to return to the athletic activity until they are evaluated by a licensed health care provider who is trained in the management of concussions and is acting within the scope of their practice. The athlete will not be permitted to return to the athletic activity until they receive written clearance to return to the athletic activity from that 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(s) 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.

Sudden Cardiac Arrest

EC 33479 et seq.; (BP/AR 6145.2)

Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. When this happens, blood stops flowing to the brain and other vital organs. SCA is not a heart attack; it is a malfunction in the heart's electrical system, causing the victim to collapse. The malfunction is caused by a congenital or genetic defect in the heart's structure. SCA is more likely to occur during exercise or sports activity, so athletes are at greater risk. These symptoms can be

unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. If not properly treated within minutes, SCA is fatal in 92 percent of cases. As such, a student who passes out or faints while participating in or immediately following a school sponsored athletic activity, or who is known to have passed out or fainted while participating in or immediately following an athletic activity, must be removed from participation at that time by the athletic director, coach, athletic trainer, or authorized person. A student who is removed from play after displaying signs and symptoms associated with sudden cardiac arrest may not be permitted to return to participate in an athletic activity until the student is evaluated and cleared to return to participate in writing by a physician and surgeon. This requirement does not apply to athletic activity conducted during the regular schoolday or as part of a physical education course.

On a yearly basis, an acknowledgment of receipt and review of SCA information must be signed and returned by the student and the student's parent before the student participates in an athletic activity. For more information and resources, visit the CDE webpage at: <https://www.cde.ca.gov/pd/ca/pe/scaprevention.asp>

Prescription Opioids

EC 49476; (AR 6145.2)

An opioid is a controlled substance that can be prescribed by a health care provider to relieve moderate-to-severe pain, after a surgery or injury, or for certain health conditions. Opioids include prescription drugs such as hydrocodone, oxycodone, morphine, and codeine. Although these medications can be an important part of treatment, they carry serious risks of addiction and overdose, especially with prolonged use.

On a yearly basis, an acknowledgment of receipt of the Opioid Fact Sheet must be signed and returned by the athlete and the athlete's parent before the athlete initiates practice or competition. This requirement does not apply to athletic activity conducted during the regular school day or as part of a physical education course.

Wellness Policy

EC 49432; (BP 5030)

The District, as required by the Healthy, Hunger-Free Kids Act of 2010, has adopted a comprehensive School Wellness Policy to support student health and learning. The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students.

The Wellness Policy was developed by the District's Wellness Committee consisting of parents, local health professionals, District trustees, teachers, and administrators. The policy focuses on nutrition education, physical activity, and overall student/staff wellness.

While the policy focuses on promoting student health and wellness, it may impact parents in regards to school parties and events. The policy asks that celebrations involving non-compliant (e.g., does not meet the California Nutrition Standards) foods be considerate of the policy objective and the nutritional limitations of those participating in the event. The policy also encourages parents to provide food items that meet the California Nutrition Standards.

The complete Student Wellness Policy and a list of approved food items that meet the California Nutrition Standards can be found on the District website at www.ssusd.org. The policy is also available upon request.

School Meal Program

EC 49501.5, 49510 et seq., 48980(b); (BP 3553)

The District will implement Universal Free Meals at all sites. The district will provide two school meals free of charge during each school day to any student who requests a meal, with a maximum of one free meal for each meal service

period (breakfast and lunch). The meals provided under this paragraph shall be nutritionally adequate meals that qualify for federal reimbursement.

Second meals, Adult meals and Non-student meals are available for purchase at the following prices:

<u>Students</u>	<u>Adults & Non-students</u>
Breakfast: \$2.25	Breakfast: \$3.00
Lunch: \$3.25	Lunch: \$4.75

To view menus please visit: <https://ssusdcafe.com/>

Snacks that meet the California Nutrition Standards are available at all elementary sites for those students enrolled in afterschool programs at no charge. Afterschool snacks include 2 food components and can be viewed online at <https://ssusdcafe.com/>.

Snack Bars are located at secondary sites for purchase only items. Snacks include food and drinks that meet the California Nutritional standards. Snack bars are open before school and during lunch hours only. Items vary in price from \$.50- \$2.75, funds can be put on student and adult Titan accounts for ease of purchase. Cash is also accepted.

Please contact Supervisor of Child Nutrition at (760) 499-1880 or visit ssusdcafe.com for additional information.

US Department of Agriculture - Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#) (AD-3027) found online at: [How To File a Complaint](#) and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW, Stop 9410
Washington, D.C. 20250-9410
2. Fax: (202) 690-7442
3. Email: program.intake@usda.gov

This institution is an equal opportunity provider.

Tobacco Free Environment

BPC 22950.5; EC 48901; HSC 104420, 104495, 104559; (BP/AR 3513.3)

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. Smoking a cigarette, cigar, or other tobacco-related product and disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground or sandbox area is also prohibited. Tobacco products include, but are 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. Any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. Any person who violates this provision of law is guilty of an infraction and will be punished by a fine of two hundred fifty dollars (\$250) for each violation.

Asbestos Management Plan

40 CFR 763.93; (BP/AR 3514)

Parents, teachers, and employee organizations have the right to a copy of a complete, updated management plan for asbestos containing material in school buildings. For further information, please contact the District's Maintenance Department at (760) 499-1870.

Pesticide Products

EC 17612, 48980.3; (AR 3514.2)

The District complies with all California laws and the Department of Pesticide Regulations' Integrated Pest Management Program limiting the use of harmful chemicals and using the least impactful pest management practices. Pesticide applications are posted at site entrances with the product and date of applications. Fields and school grounds that are to be treated in the normal rotation of maintenance work will have warning signs posted at least 24 hours prior to the application and will remain posted until 72 hours after the application. When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign will be posted immediately upon application and will remain posted until 72 hours after the application. Warning signs will include the term "Warning/Pesticide Treated Area", the name of the product and manufacturer, the product's registration number, intended areas and dates of application, and reason for the pesticide application.

Parents seeking access to information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code 13184, can do so by accessing the Department's website at www.cdpr.ca.gov/. Additional information on the District's Integrated Pest Management disclosure can be obtained by contacting the District's Maintenance Department at (760) 499-1870.

Copies of the District's integrated pest management plans are available in each school site office. The District's integrated pest management plan may also be found on its website at ssusd.org. Parents or legal guardians of District students may be registered to receive prior notification of individual pesticide applications. Persons who register for notification shall be notified of individual pesticide applications at least 72 hours before the application. The notice shall include the product name, the active ingredient or ingredients in the product, and the intended date of application.

Below is a list of all pesticide products and the active ingredient(s) in the products that are expected to be applied at District schoolsites during the upcoming school year.

COMMON NAME	ACTIVE INGREDIENT	EPA REG. NO.
Maxforce FC Select Roach Gel	Fipronil	432-1259
Cyper TC	Cypermethrin	53883-92
CrossCheck Plus	Bifenthrin	279-3206-10404

ExciteR	Pyrethrin	655-798
Phantom	Chlorfenapyr	7969-285
Tempo SC Ultra	Cyfluthrin	432-763
CB-80	Pyrethrins; Piperonyl Butoxide	279-3393
Contra Blox	Bromadiolone	12455-79
Optiguard Ant Gel	Thiamethoxam	100-1260
Termidor SC	Fipronil	432-901
InVict Xpress Granules	Imidacloprid	73079-14
Generation Mini Blox	Difethialone	7173-218
Purge III	Pyrethrins; Piperonyl Butoxide; N-octyl bicycloheptene dicarboximide	9444-158
ULD BP300	Pyrethrins; Piperonyl Butoxide; N-octyl bicycloheptene dicarboximide	499-450
PT Alpine	Dinotefuran	499-531
Bedlam	3-phenoxybenzyl; 3-cyclopropanecarboxylate; N-Octyl bicycloheptene dicarboximide	1021-1767
Bedlam Plus	3-phenoxybenzyl; 3-cyclopropanecarboxylate; N-Octyl bicycloheptene dicarboximide; Imidacloprid	1021-2569
Temprid SC	Imidacloprid; Cyfluthrin	432-1483
EcoVia EC	Thyme Oil; Rosemary Oil; 2-Phenethyl propionate	EXEMPT
Essentria IC3	Rosemary Oil; Geraniol 600; Peppermint Oil	EXEMPT
End Zone	Acetamiprid	8033-114-279
DuPont Advion Ant Gel	Indoxacarb	352-746
DuPont Advion Cockroach Gel	Indoxacarb	352-652
Bora-Care	Disodium Octaborate Tetrahydrate	64405-1
Fastrac All Weather Blox	Bromethalin	12455-95
Kicker	Pyrethrins; Piperonyl Butoxide	432-1145
Herbicides		
Round-Up Pro	Glyphosate	524-529
Treflan EC	Trifluralin	1545-9
Surflan A.S.	Oryzalin	70506-43

Oust XP	Sulfometuron Methyl	352-601
Esplanade 200 SC	Indaziflam	432-1516
SpeedZone	Carfentrazone-ethyl; 2,4-D, 2-ethylhexyl ester; Mecoprop-p acid; Dicamba acid	2217-835
Fusilade II	Fluazifop-p-butyl	100-1085

TRANSPORTATION & SCHOOL BUS SAFETY

EC 39831.5; (AR 3543)

Student Walking Limits

Students who reside outside the established radius zones will have bussing services available to them. The radius zone is measured by drawing a circular radius from a central location at the school site and around the school within the school's attendance boundary. Radius zones are drawn at a distance of:

- 1 mile from the school site for K-5th
- 1.5 miles from the school site for 6th-8th
- 2 miles from the school site for 9th-12th

Bus Riding Privileges

Any student who violates the bus rules or does not follow instructions from the driver may have their riding privileges suspended or revoked. Authority to suspend or revoke a student's bus riding privileges rests with a site administrator or the Manager of Transportation. The administrator will notify parents of the students of the suspension and the reasons therefore. All drivers involved will be notified.

When a student is denied bus-riding privileges, this also includes field trips. Parents or designated people of kindergarten students must be at the bus stop to receive the student or the student will be taken back to the school. If this happens more than 3 times during the school year, the student will lose bus riding privileges.

Video Recording Devices

Some of the District's school buses may be equipped with audio and video recording devices for the protection of students and staff.

Safe Riding Practices and Emergency Procedures

(EC 39831.5; (BP/AR 5131.1)

Board Policy and state law require all students in pre kindergarten through grade 8 who receive home to school transportation be given instruction in safe bus riding practices and in emergency bus evacuation.

The instruction must include the following:

1. Proper loading and unloading procedures, including escorting by the driver.
2. How to safely cross the street, highway, or private road.
3. Instruction in the use of passenger restraint systems.
4. Proper passenger conduct.

5. Location of emergency equipment.
6. Bus evacuation procedures.

Walking To and From Bus Stops

1. Use crosswalks and/or intersections to cross streets. Do not cross in the middle of the block.
2. Use sidewalks where available. If no sidewalks are available, do not walk in the roadway.
3. Arrive at the bus stop 5 minutes prior to stop time.
4. If you are late to the bus and need to cross the street, wait for the bus driver to escort you across the street.
5. Never run to or from the bus.
6. Go directly home.

Red Light Crossing Instruction

For children who must cross the street at the bus stop in the AM

In the morning, students are to gather at their assigned bus stop and wait for the bus to arrive.

1. The driver will activate the red lights, and then will shut the bus off. The driver will exit the bus and walk to the center of the roadway to cross children, if required.
2. Students are to remain still until the driver tells them it is safe to cross.
3. Students must cross between the driver and the bus.
4. The driver will be the last person to get on the bus.
5. Drivers doing red light crossing are in control of the street or roadway upon which the bus is on. Cross traffic or traffic on the other streets that a student must cross to get to or from a bus stop cannot be controlled by the bus driver.
6. For the safety of students, the driver may escort 9th-12th grade students.

General Rules of Behavior at the Bus Stop or Loading and Unloading

1. Arrive at the bus stop 5 minutes prior to bus arrival time.
2. Stand in an orderly manner.
3. Respect private property. Do not walk on lawns or flowerbeds or climb on cars and trees.
4. No pushing or shoving.
5. Always face the bus as it approaches.
6. Never run to or from the bus.
7. Listen to instructions from the driver.
8. Wait completely off the road for the bus. Stand at a safe distance from the bus until it comes to a complete stop. Wait until the driver opens the door before walking towards the bus (recommended distance is 12 feet).
9. Watch your step getting on and off the bus, especially in wet weather. Always use the handrail.
10. The bus driver has the authority to assign seats.

While Riding the Bus

1. Enter the bus in an orderly manner and do not bring aboard items of injurious or objectionable nature (*i.e.*, animals, glass, balloons, weapons etc.).
2. All Kindergarten students who ride the bus are seated at the front of the bus.
3. Wear passenger restraint systems (*i.e.*, seat belts) at all times while riding the bus, if the bus is so equipped.
4. Do not get out of the seat while the bus is in motion.
5. Remain in the seat and be quiet at railroad grade crossings.
6. Keep hands, head, arms, etc. inside the bus at all times.
7. Do not make offensive remarks or gestures to pedestrians or motorists.
8. No objects may be thrown in or out of the bus.

9. No screaming, yelling, or use of profanity.
10. No harassing or fighting on the bus.
11. Always be courteous to fellow students.
12. Do not refuse to share a seat with another student.
13. No smoking on the bus.
14. No eating, drinking, or gum-chewing while riding the bus. Water is an acceptance.
15. The aisle of the bus must be kept clear of books, backpacks, lunches, feet, etc.
16. Remain seated until the bus stops and the doors are open before exiting.

Afternoon Drop Offs

For children who must cross the street that the bus stop is on.

1. Students are to remain seated until the bus comes to a complete stop.
2. The driver will activate red flashing lights, turn off the bus engine, and open the door. The driver will be the first person off the bus.
3. Students will wait inside the bus until the driver signals them when it is safe to exit the bus.
4. Students must walk in front of the bus between the driver and the bus in an orderly manner.

Alternate Drop Off

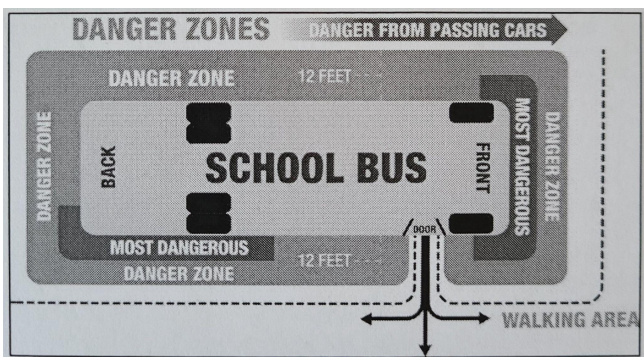
Permission to get off the bus at a bus stop other than your own must be cleared with the school office, in advance. Written permission must be presented to the school bus driver on a school bus pass. The request must not require the bus to go off its route or require an additional stop. Space must be available on the bus.

School Bus Danger Zone

Any place around a school bus can be dangerous. It is safe to assume that if you cannot see the driver, the driver cannot see you. Some of the danger zones that are commonly found while children are loading and unloading the bus are shown in the diagram below.

Never play in the following areas of a bus:

1. Directly in front of the bus.
2. The area near the entrance door.
3. The area near the front tires (on either side of the bus).
4. The area near the rear tires (on either side of the bus).
5. Directly behind the bus.



Contact Information:

Manager of Transportation

SCHOOL SAFETY

Comprehensive School Safety Plan

EC 32280; (BP/AR 0450)

The school site council or school safety planning committee of each District school has developed, in consultation with representatives from a local law enforcement agency, fire department, and other first responder entities, a comprehensive school safety plan, which, based on a current examination of any crime committed on campus and at school-related functions, identifies appropriate strategies and programs to maintain school safety and to ensure that existing laws related to school safety are effectively enforced.

The school safety plans are reviewed and updated each year and forwarded to the Governing Board for approval at a regularly scheduled meeting. Prior to Board approval, specified persons and entities are notified of a public meeting that provides members of the public an opportunity to express an opinion about the plan.

Except for the section on tactical responses to criminal incidents, a school's most current safety plan is readily available for inspection by the public upon request at its school office. A description of key elements and the status of the school safety plan is also included in the School Accountability Report Card.

Emergency Disaster Procedures

EC 32001, 32282; (BP/AR 3516, 3516.1, 3516.3)

Included in the routine and emergency disaster procedures portion of the school safety plan are procedures for addressing major disasters and intruders on campus, including lockdown, evacuation, and reunification of students with their parents. In the continued interest of student safety, the Governing Board believes it is important that students, parents, and staff be aware of, and practice with, appropriate emergency and disaster procedures.

Disaster Preparedness and Drills

In order to familiarize students and staff with proper procedures, fire drills are held monthly in elementary schools, four times every school year at the middle schools, and at least twice every school year at the high schools. Earthquake drop procedure practices are held at least once each school quarter in elementary schools and at least once a semester in middle and high schools. Emergency plans and maps are displayed in each classroom, as well as the proper classroom evacuation route.

Parents should prepare their children for an emergency by:

1. Being aware of the emergency procedure instructions given to their children at school.
2. Keeping their child's emergency card on file at the school and updated at all times.
3. Establishing the safest and most direct route to and from school.
4. Arranging for a neighbor or friend to care for their child if the parents leave home for the day.

Parents are encouraged to review the resources provided on the CDE website to help families prepare for different types of emergencies, natural disasters, and crisis at: <https://www.cde.ca.gov/ls/ep/schoolemergencyres.asp>

Emergency Disaster during School Hours

In the event of an emergency during the school day, the best place for the students to remain is at school. School staff members will put into effect a prearranged disaster preparedness plan that will ensure the safety and welfare of all students for the duration of the emergency. Coordinating teams composed of school personnel will direct all emergency operations. Students will be kept at school in a safe area until parents or authorized persons noted on the emergency card arrive at the school. Students not picked up will remain at school until the end of the normal school day, and will be released at that time, providing it is safe to go home.

If a disaster occurs while students are on the way to school, they should continue on to school or go directly home, depending on road conditions or the shortest route. Parents should discuss this plan at home with their students.

During the emergency, it is essential that the school telephone lines are available to school personnel and those providing emergency relief; therefore, the school should be called only if it is absolutely necessary.

Information for Use in Emergencies/Emergency Cards

EC 49408

For the protection of a student's health and welfare, the Governing Board requires that parents keep current information on file at the student's school of residence. Such information includes parents' home, work, and cell phone numbers and addresses as well as contact information for persons who may assume responsibility for the child in the absence of the parent. As emergency information changes, parents should notify the school within 24 hours of the change and complete a new emergency form if necessary.

Open Campus

EC 44808.5; (BP 5112.5)

In order to give students an opportunity to demonstrate responsibility, independent judgment, and positive citizenship, students who attend Burroughs High School who are in good standing and have parent permission, may leave campus during lunch. While students are held accountable for their behavior during lunch time, neither the District nor any of its officers or employees are liable for the conduct or safety of any student during such time as the student has left school grounds.

At any other time during the school day, students may not leave school grounds without permission from school officials.

Bicycles, Scooters and Skateboards

To help protect our students, rules for use of bicycles, scooters, and skateboards to and from school must be followed. It is recommended that only students in grades 3 and above ride bicycles to school. Bicycle helmets are required. None are to be ridden on school grounds.

Smartphones and Other Electronic Signaling Devices

EC 48901.5, 48901.7; (BP 5131, 5131.8)

The District has established policies, rules and regulations concerning the possession or use of cell phones, smart phones, and personal technology devices by students while on or near school property, in school vehicles and buses, at school sponsored activities, or while students are under the supervision or control of district employees, as well as using district technology resources via off-campus remote access. The District does not permit the use of smartphones or other electronic signaling devices during instructional time, unless prior permission has been granted by Administration. Such

devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other District employee, in the case of an emergency or in response to a perceived threat of danger, or at any other time directed by a District employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person. No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential for the health of the student and use of which is limited to purposes related to the health of the student.

Dress and Grooming

EC 35183, 35183.5, 51101; (BP/AR 5132)

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process. Pupil dress must meet the following standards: (a) the clothing is safe for the pupil and others, (b) it permits full participation in the educational program, and (c) it does not significantly distract others. School sites are permitted to have more stringent dress code standards as long as the standards meet the parameters set by the Governing Board. Additionally, gang- and drug- related clothing may be controlled under the conditions described below.

Confiscation of Clothing and Other Personal Items Having Gang Related Inscriptions, Symbols or Markings

The Governing Board has determined that the safety needs of students will be enhanced by the confiscation of clothing and other personal items which bear gang-related symbols, inscriptions, or other markings. Such items will be turned over to the local law enforcement, which will attempt to obtain parental cooperation in diverting their children from gang involvement. Return of any items confiscated will be in accordance with the policies and procedures of local law enforcement and BP 5145.12- Search and Seizure.

Sun Protective Clothing/Use of Sunscreen

Students are allowed to wear sun protective clothing, including but not limited to hats, for outdoor use during the school day. Sunscreen may also be used by students, during the school day, without a physician's note or prescription. School sites are authorized to establish a policy regarding the use of sunscreen.

Employee Interactions with Students

EC 44050; (BP 4119.24, 4219.24, 4319.24)

Employees, including independent contractors and volunteers, of the District are expected to maintain the highest ethical standards, exhibit professional behavior, follow District policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students both within and outside the educational setting. Employee conduct should enhance the integrity of the District, advance the goals of the District's educational programs, and contribute to a positive school climate; therefore, employees are not to engage in unlawful or inappropriate interactions with students and must avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

In fulfillment of the obligation to ensuring the safety of all students, an employee will not:

1. Engage in harassing or discriminatory behavior towards students, or fail or refuse to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed.
2. Use profane, obscene, or abusive language against students.
3. Physically abuse, sexually abuse, neglect, or otherwise willfully harm or injure a student.
4. Initiate inappropriate physical contact.

5. Be alone with a student outside of the view of others.
6. Engage in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.
7. Address a student in an overly familiar manner, such as by using a term of endearment.
8. Single out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students.
9. Enter into, or attempt to form, a romantic or sexual relationship with any student.
10. Visit a student's home or invite a student to visit the employee's home without parent consent.
11. Send or accompany students on personal errands unrelated to any legitimate educational purpose.
12. Transport a student in a personal vehicle without prior authorization.
13. Maintain personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent or the principal. Employees are to use District-issued equipment or technological resources when communicating electronically with students. Employees must not communicate with students through any medium that is designed to eliminate records of the communications.
14. Socialize or spend time with students outside of school sponsored events, except as participants in community activities.
15. Create or participate in social networking sites for communication with students, other than those created by the District, without the prior written approval of the principal or designee.
16. Invite or accept requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business.
17. Intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.
18. Encourage students to confide their personal or family problems and/or relationships.
19. Disclose personal, family, or other private matters to students or share personal secrets with students.

An employee who observes or has evidence of another employee's inappropriate conduct must immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect must file a report pursuant to the District's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct will be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy will be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee will notify local law enforcement as appropriate. An employee who has knowledge of, but fails to report, inappropriate employee conduct may also be subject to discipline. Immediate intervention will be implemented when necessary to protect student safety or the integrity of the investigation.

The District prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process will be subject to discipline.

Child Abuse and Neglect Reporting

PC 11164 et seq.; (AR 5141.4)

The District is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report all known or suspected incidents of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on their training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not

require certainty that child abuse or neglect has occurred, nor does it require a specific medical indication of child abuse or neglect.

Child abuse or neglect includes the following:

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation (as defined in PC 11165.1)
3. Neglect of a child (as defined in PC 11165.2)
4. Willful harming or injuring of a child or the endangerment of the person or health of a child (as defined in PC 11165.3)
5. Unlawful corporal punishment or injury (as defined in PC 11165.4)

Child abuse does not include:

1. A mutual fight between minors
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of their employment
3. An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
 - To stop a disturbance threatening physical injury to people or damage to property
 - For purposes of self-defense
 - To obtain possession of weapons or other dangerous objects within control of a student
 - To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of students, and maintain proper and appropriate conditions conducive to learning
4. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a Student.
5. Homelessness or classification as an unaccompanied minor.

Employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal. Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies. Parents 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. To report abuse or neglect, call the 24-hour hotline for the Kern County Protective Services (CPS) at:

Kern County Child Abuse Hotline

(661) 631-6011 (Countywide)

(760) 375-6049 (Ridgecrest)

(Report 24 hours per day, 7 days per week)

For all emergencies call 911

Reports of suspected child abuse or neglect must include, if known

1. The name, business address, and telephone number of the person making the report and, if applicable, the capacity that makes the person a mandated reporter
2. The child's name and address, present location, and, where applicable, school, grade, and class
3. The names, addresses, and telephone numbers of the child's parents
4. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
5. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

Whenever a representative of a government agency investigating suspected child abuse or neglect, or CPS deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child will be given the choice of being interviewed in private or in the presence of any school employee or volunteer aide selected by the child. If a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the principal will not notify the parent, but rather will provide the peace officer with the address and telephone number of the child's parent. It is the responsibility of the peace officer or agent to notify the parent of the situation.

For parents' guides and other resources, visit the CDE webpage at <https://www.cde.ca.gov/ls/ss/ap/>

Sex Offender/Megan's Law Notification

PC 290 et seq.; (BP/AR 3515.5)

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.

Whenever the District is advised by a local law enforcement agency of the need to take some kind of action due to the presence of a registered sex offender, the District will respond as directed or advised by the law enforcement agency. Parents requesting information about sex offenders in the community should either access the Megan's Law website or contact local law enforcement agencies such as the Ridgecrest Police Department or the Kern County Sheriff's Department.

Firearms Safety Memorandum

EDC 48986, 49390-49395

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.¹
 - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.²

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.³
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or word.⁴

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children safe and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

¹See California Penal Code sections 25100 through 25125 and 25200 through 25220.

²See California Penal code Section 25100(c).

³See California Civil Code Section 29805.

⁴See California Civil Code Section 1714.3.

STUDENT DISCIPLINE

Duty Concerning Student Conduct

5 CCR 300; EC 48980(a), 51101(a)(12), 44807, 35291, 35291.5; (BP 5131)

Each school site and each classroom teacher has established behavior expectations for their students that are consistent with Board policy and applicable state and federal laws. It is the responsibility of the teachers and administrators to see that rules are carried out in a fair and reasonable manner. Every teacher, administrator and other designated employee will hold students to a strict account for their conduct on the way to and from school, in the classroom and other school buildings, on school grounds, and on the school bus. Students must 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.

Copies of each school's rules may be obtained from the school office and are generally published in the Student/Parent Handbook which can be accessed on the school's website.

Disciplinary Accountability

5 CCR 353; EC 48807.5, 48900.5, 49001; (BP 5131, 5144.1)

Specific behaviors are forbidden by state and federal laws and by District policy. Violations of these laws and policies may result in advising and counseling students, conferencing with parents, detention during and after school hours, community service, involvement of law enforcement, placement in alternative programs, suspension, or expulsion.

The severity of disciplinary consequences depends upon several factors such as the nature or seriousness of the offense and whether the offense is a first offense. Ordinarily, suspension (and expulsion) is imposed only when other means of correction fail to bring about proper conduct, or whenever the student has committed a serious, first-time offense; or when it is also determined that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

In lieu of suspension from school, students may be assigned to a student support center, community service, Saturday school, counseling, on-campus suspension, and/or after school detention.

Students may be detained for after school detention for disciplinary reasons up to one hour after the close of the maximum school day. Detention during lunch will allow for a reasonable amount of time for lunch; and detention during recesses will allow for attention to personal hygienic needs.

Corporal punishment will not be used. The use of reasonable and necessary force by an employee to protect oneself or students or prevent damage to District property is not considered corporal punishment.

Grounds for Suspension and Expulsion

EC 35291, 48900 et seq.; (BP 5144.1)

The Governing Board believes that high expectations for student behavior, effective classroom management, and parent involvement can minimize the need for discipline. Staff will use preventative measures and positive conflict resolution techniques whenever possible. In addition, discipline will be used in a manner that corrects student behavior without intentionally creating an adverse effect on student learning or health. At all times, the safety of students and staff and the maintenance of an orderly school environment serve as priorities in determining appropriate discipline. When misconduct occurs, staff will attempt to identify the causes of the student's behavior and implement appropriate discipline in a fair and consistent manner, in accordance with the District's nondiscrimination policies. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. A student will not be suspended or expelled for any acts listed below unless that act is related to school activity or school attendance that occur at any time, including, but not limited to, any of the following:

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

The following are grounds for which a student in kindergarten through grade 12 may be suspended or expelled:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon another person, except in self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
4. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented it as a controlled substance, alcoholic beverage, or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco, or products containing tobacco or nicotine products.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm. 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.
14. Committed or attempted to commit a sexual assault or committed a sexual battery.

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.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in, hazing. Hazing means a method of initiation or pre-initiation into a student 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 student.
18. Engaged in an act of bullying. Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a student in fear of harm to themselves or their property; cause the student to experience a substantially detrimental effect on their physical or mental health; or cause the student to experience substantial interferences with their academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. 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.
19. Aided or abetted the infliction or attempted infliction of physical injury on another person.
20. Made terrorist threats against school officials and/or school property. A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$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.

Additional grounds for suspension and expulsion for students in grades 4 through 12 include:

1. Committed sexual harassment. Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. Hate violence includes injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics.
3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students 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 school personnel or students by creating an intimidating or hostile educational environment.

Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

Removal from Class by a Teacher

EC 48910; (BP/AR 5144.1)

After other means of correction have failed to bring about proper conduct, a teacher may suspend a student from their class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. The teacher shall immediately report the suspension to the principal of the school and send the student to the principal or the principal's designee for appropriate action. If that action requires the continued presence of the student at the school site, the student shall be under appropriate supervision, as defined in policies and related regulations adopted by the Governing Board.

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

A student removed from class may not be returned to class during the period of removal without approval of the teacher of the class and the principal. During this period of suspension, the student will not be placed in another regular class; however, if the student is assigned to more than one class per day, they may be placed in any other regular classes except those held at the same time as the class from which the student was removed. The teacher may require the student to complete any assignments and tests missed during the removal.

Requirement of Parent Attendance

EC 48900.1, 51101; (BP 5144.1)

The parent of a student suspended by a teacher for any of the following reasons, may be required by the teacher to attend a portion of a school day in the classroom from which the student was suspended:

- EC 48900(i)- committed an obscene act or engaged in habitual profanity or vulgarity
- EC 48900(k) - disrupted school activities or willful defiance

If the teacher imposes this requirement, the principal will send a written notice to the parent stating that attendance by the parent, who is actually living with the student, is pursuant to law. The notice will also ask the parent to meet with the principal after the visit and before leaving the school campus. Per LC 230.7, employers are not allowed to apply sanctions against the parent for complying with this requirement if the parent has given reasonable notice to their employer.

Suspension from School

EC 48911, 51101; (BP 5144.1)

A student may not be suspended from school for more than five consecutive school days unless the suspension is extended pending expulsion proceedings. A suspension by the principal or designee will be preceded by an informal conference where the student is informed of the reason for the disciplinary action, including the other means of correction that were attempted, and the evidence against them, and is given the opportunity to present their version and evidence in their defense. This conference may be omitted if the principal or designee determines that an emergency exists, involving 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 and student will be notified of the student's right to return to school for the purpose of a conference. The conference will be held within two school days unless the student waives their right to it or is physically unable to attend for any reason. In such cases, the conference will be held as soon as the student is physically able to return to school.

At the time of the suspension, a school employee will make a reasonable effort to contact the parent by telephone or in person. The parent will also be notified in writing of the suspension. The notice will state the specific offense committed by the student and may include the date and time when the student may return to school. School officials may request a meeting with the parent to discuss the causes and duration of the suspension, the school policy involved and any other pertinent matter. A parent of a student suspended must respond without delay to the request for a meeting; however, the student may not be denied readmission solely because the parent failed to attend the meeting.

If a student is also being recommended for expulsion, the Superintendent or designee may extend the period of suspension beyond the five consecutive days if they determine, following a meeting in which the student and the student's parent 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.

To appeal a suspension, the process for challenging student records will be followed. Parents are encouraged to start by submitting a request to appeal a suspension to an administrator or a school site designee who did not issue the suspension.

Assignments and Tests During Suspension

EC 48913, 48913.5, 51101; (BP 5144.1, BP/AR 6154)

The teacher of any class from which a student is suspended may require the suspended student to complete any assignments and tests missed during the suspension. However, a teacher must provide a student who has been suspended from school for two or more days the homework that the student would otherwise have been assigned if the student or the student's parent or other person holding educational rights makes a request to the teacher. Whenever homework assignment that is requested and turned into the teacher either upon the student's return to school from suspension or by the deadline prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment cannot be included in the calculation of the student's overall grade in class.

Expulsion Recommendations and Decisions

EC 48915, 48918; (BP 5144.1)

A student found to have committed any of the following acts will immediately be suspended from school and recommended for expulsion:

1. Possessed, sold, or otherwise furnished a firearm.
2. Brandished a knife at another person.
3. Unlawfully sold a controlled substance.
4. Committed or attempted to commit a sexual assault or committed a sexual battery.
5. Possession of an explosive.

The principal or superintendent will recommend a student for expulsion 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:

1. Caused serious physical injury to another person, except in self-defense.
2. Possessed any knife or other dangerous object of no reasonable use to the pupil.
3. Unlawfully possessed a controlled substance listed in Chapter 2 of the HSC, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis, or the possession of over-the-counter medication for use by the student for medical purposes or medication prescribed for the student by a physician.
4. Robbery or extortion.

A student who is recommended for expulsion is entitled to a hearing conducted by an administrative hearing panel of three or more certificated persons, none of whom are members of the Board or employed on the staff at the school in which the student is enrolled. A decision to expel may only be made by the Governing Board. A decision to expel must be based upon a finding of either 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 student causes a continuing danger to the physical safety of the student or others.

The Board's decision to expel, even if the expulsion order is suspended, can be appealed to the Kern County Board of Education within 30 calendar days following the decision of the SSUSD Board.

Involvement of Law Enforcement

EC 48902, 51101; (BP 5144.1)

The principal or designee must notify the appropriate law enforcement authorities, within specified timelines, of any acts committed by students occurring on school grounds that involve:

1. Assault with a deadly weapon or instrument
2. Sexual battery or sexual assault
3. Controlled substances, alcoholic beverages, or intoxicants
4. Firearms or explosives
5. Any dirk, dagger, ice pick, knife having a blade longer than 2½ inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser, or stun gun (as defined in PC 244.5(a)), any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun

Whenever the principal or designee reports a criminal act committed by a student with exceptional needs, the principal or designee will ensure that copies of the student's special education and disciplinary records are provided to law enforcement authorities for consideration.

Liability for Minor Child's Acts

EC 48900(u), 48904; (BP/AR 3515.4, BP 6161.2)

Parents may be held financially liable if their student willfully cuts, defaces, or otherwise injures any property, real or personal, of the District or school employee, or willfully does not return District property loaned to the student upon demand of an authorized school employee. School property includes, but is not limited to, electronic files and databases. The liability of the parent will not exceed ten thousand dollars (\$10,000), adjusted annually for inflation. The school may further withhold the grades, diploma, and transcript of the student until restitution is paid.

Loss of Privileges

(BP 5127, 6145)

In order to encourage high standards of student conduct and behavior in conformity with applicable state laws, District policies and regulations, and school rules, the principal may deny a student participation in privileged activities, placing them on a "Non-Privilege List". Privileged activities include, but are not limited to, any extracurricular activity that is not related to the regular classroom, does not occur during class time, is not graded, and is not offered for credit. Specifically, for purposes of the current school year, privileged activities include dances, rallies, recreational trips, reward trips, fundraising events and graduation/promotion ceremonies or activities.

Unless otherwise expressly stated in BP 5127 - Graduation Ceremonies and Other Privileged Activities, eligibility for and loss of the privilege of participating in District extracurricular and cocurricular activities is governed by BP 6145 - Extracurricular and Cocurricular Activities.

Students on Suspension. Recommended for Expulsion, or on Suspended Expulsion Order

A student who has been suspended is automatically placed on the Non-Privilege List and may not participate in privileged activities during the period of suspension. A student suspended and recommended for expulsion is automatically placed on the Non Privilege List and may not participate in privileged activities during the duration of the student's extended suspension pending an expulsion hearing; a decision to remove the student from the List will be determined by the outcome of the expulsion hearing. An expelled student whose expulsion order has been suspended may only participate in privileged activities if expressly permitted to do so by the administration of the school of attendance.

Failure to Return District Property

A student who fails to return loaned District property when return is due, other than a uniform loaned for participation on a District sports or other team, may be placed on the Non-Privilege List and may not participate in privileged activities until the District property is returned or the student or the student's parents reimburse the District for the value of the loaned District property.

A student who was loaned a uniform for participation on a District sports or other team, and who fails to return the loaned uniform when return is due, may be denied participation on the subsequent District sports or other team in which the student desires to participate until the student returns the previously loaned uniform or the student or the student's parents reimburse the District for the value of the loaned District property.

Failure to Pay a Lawfully Imposed and/or Agreed Upon Financial Obligation

A student who fails to pay a lawfully imposed and/or agreed upon financial obligation may be placed on the Non-Privilege List and may not participate in privileged activities.

Notice of Privilege Revocation

For purposes of the denial of participation in privileged activities based upon a student's suspension or an extended suspension pending expulsion, revocation of the right to participate in privileged activities is effective immediately upon the issuance of the suspension.

There is no appeal right with regard to revocation of the participation in privileged activities related to a suspension, extended suspension pending expulsion, or suspended expulsion order. Any challenge or appeal to the suspension, extended suspension, or suspended expulsion order underlying a revocation of participation in privileged activities is governed by the procedures and requirements set forth in BP 5144.1 - Suspension and Expulsion/Due Process or school rules.

Prior to denial of a student's participation in privileged activities because of their placement on the Non-Privilege List for failure to return District property or failure to pay a lawfully imposed and/or agreed upon financial obligation, the student and the student's parent will be made aware of the grounds for such denial by written notice and will be given an opportunity to respond. The notice must be provided two weeks in advance of the first privileged activity for which the student will be denied participation.

The notice will provide the student and the student's parent information regarding the opportunity to meet with the principal in advance of the revocation of the student's right to participate in privileged activities. The notice will also provide the student and the student's parent information regarding the means whereby they may appeal any final decision by the school site principal to revoke the student's ability to participate in privileged activities.

Appeal of Decision to Revoke Privileges

Upon the school site principal's final decision to revoke a student's ability to participate in privileged activities, the student and the student's parent have the right to appeal the decision to the District's Superintendent or Superintendent's designee by mail or by telephone. Upon receiving a request for an appeal, the Superintendent or designee will schedule a meeting within 10 school days to meet with the student and the student's parent regarding the appeal.

The purpose of the appeal meeting is to discuss the causes, the duration, the school policy involved, and other matters pertinent to the revocation of the student's ability to participate in privileged activities, and to provide the student and the student's parent(s) an opportunity to explain why such a revocation is improper.

The Superintendent or designee will provide written notice of their decision regarding the student's appeal of the revocation of participation in privileged activities within three school days following the appeal meeting.

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Parent Acknowledgment

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgment. Please complete this form and return it to the school with your student.

By signing below, I am neither giving nor withholding my consent for my child/children to participate in any programs; I am merely indicating that I have received and read the “2023-24” Annual Notice to Parents/Guardians” regarding my rights relating to activities that might affect my child/children.

Printed Name of Student(s):

Signature of Parent/Guardian:

Date:

Printed Name of Parent/Guardian:

APPENDIX A: Uniform Complaint Procedures (UCP)

Board Policy 1312.3: Uniform Complaint Procedures

Last Revised Date: 01/19/2023

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Childcare and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from

any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5,

51225.1, 51225.2)

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School Safety Plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt program (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), the Superintendent or designee shall keep the identity of the complainant and/or the subject of the complaint, if different from the complainant, confidential when appropriate and as

long as the integrity of the complaint process is maintained.

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain records of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities

conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Administrative Regulation 1312.3

Last Revised Date: 07/15/2021

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used only to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4031- Nondiscrimination in Employment)

Compliance Officers

The district designates the individual(s), position(s), or unit(s) identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serves as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources

Sierra Sands Unified School District

113 W. Felspar Avenue Ridgecrest, CA 93555

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The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, another compliance officer is designated to investigate the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such designated employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation and/or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the

compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, one or more of the interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

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

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Websites)

(cf. 1114 - District-Sponsored Social Media)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy.
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred
5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints
7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable
10. A statement that copies of the district's UCP are available free of charge

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

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

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

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that they have personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful

discrimination. The complaint shall be initiated no later than six months from the date that the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation or bullying), when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of a sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the

relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Final Decision

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

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

(cf. 9321 - Closed Session)

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

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

For all complaints, the district's final written decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved

- c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
 3. Disposition of the complaint
 4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600.

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective action(s) imposed on the respondent.
 - b. Individual remedies offered or provided to the subject of the complainant or another person who was the subject of the complaint but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence.
6. Notice of the complainant's and respondent's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall

include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying) the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 263)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints involving retaliation, unlawful discrimination (such as discriminatory harassment, intimidation or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the

following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a Student Success Team (cf. 6164.5 - Student Success Teams)
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law (cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with the CDE within 30 calendar days of receiving the district's decision. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

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

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

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)



SIERRA SANDS Unified School District

113 W. Felspar, Ridgecrest, CA 93555 | Phone: 760-499-1600 | ssusd.org

Dave Ostash, Ed.D., Superintendent

UNIFORM COMPLAINT PROCEDURES COMPLAINT FORM

COMPLAINANT CONTACT INFORMATION

Name* _____

Student Name (if applicable) _____ Date of Birth _____

Address _____

City _____ Zip Code _____

Home Phone _____ Cell or Work Phone _____

I am filing this complaint on behalf of:

- myself my child or a student another child or student a group

BASIS OF COMPLAINT

Discrimination, harassment, intimidation, or bullying** in district programs or activities on the basis of the following actual or perceived protected class or characteristic (check all that apply):

- | | | |
|--|---|-----------------------------------|
| <input type="checkbox"/> Sex | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Race or Ethnicity | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> National Origin | <input type="checkbox"/> Age |
| <input type="checkbox"/> Marital or Parental Status | <input type="checkbox"/> Physical or Mental Disability | <input type="checkbox"/> Color |
| <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Association with a person or group with one or more of the Actual or perceived categories listed above | |

*For complaints alleging noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, the complaint can be filed anonymously if the complaint provides enough evidence or information leading to evidence to support an allegation of noncompliance and to allow an appropriate investigation. However, if the complainant wishes to receive a copy of the District's decision in response to the complaint, the complainant's contact information requested above must be provided.

** For complaints of bullying that are not based on the above listed protected classes or characteristics, please contact your school site principal for further investigation and response.

2. Please describe what steps, if any, you have taken to resolve this issue before filing this complaint. Have you attempted to discuss this issue with the person about whom you are complaining or with other District personnel? If so, with whom and what was the result?

3. Please describe your desired outcome or remedy so as to assist the complaint investigator in attempting to satisfactorily resolve your complaint.

Signature _____ Date _____

This complaint form must be submitted to the District Compliance Officer at the address listed below unless the complaint alleges noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities. In such cases, this complaint form may be submitted to your school site principal. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying must be initiated no later than six months from the date of the alleged discrimination, harassment, intimidation, or bullying, or six months from the date of the complainant first obtained knowledge of the facts of the discrimination, harassment, intimidation, or bullying. Complaints alleging noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities must be filed no later than one year from the date the alleged violation occurred. Complaints will be investigated in a manner that protects the integrity of the process and the confidentiality of the parties to the extent that the investigation of the complaint is not obstructed. The District's governing board prohibits any form of retaliation against any person for the filing of a complaint or participation in the complaint process.

Once completed, please deliver your complaint and any attachments to:

Assistant Superintendent of Human Resources
113 W. Felspar Ave.
Ridgecrest, CA 93555
(760) 499-1620

The district will investigate and report its decision to the complainant within 60 calendar days of the District's receipt of the complaint per the District's Uniform Complaint Procedures found at Board Policy and Administrative Regulation 1312.3. The complainant has the right to appeal the district's final decision to the California Department of Education within 15 calendar days of receiving the decision.

APPENDIX C: Title IX Sexual Harassment Policy

Policy 5145.7: Sexual Harassment

Last Revised Date:08/13/2020

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targets at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of

sexual harassment should be made

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation.

Complaint Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

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

Regulation 5145.7: Sexual Harassment

Last Revised Date: 08/13/2020

The district designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator may be contacted at:

Bryan Auld
Assistant Superintendent of Human Resources
113 W. Felspar Ave.
Ridgecrest, CA 93555
bauld@ssusd.org
760-499-1620

The district shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

Prohibited Conduct

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

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

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

1. Unwelcome leering, sexual flirtations or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions

3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class
7. Massaging, grabbing, fondling, stroking or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking normal movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted (Education Code 231.5)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as the district's Title IX Coordinator. (Education Code 234.6; 34 CFR 106.8)

5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
7. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations (34 CFR 106.8)

Reporting Complaints

Any student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator, regardless of whether the alleged victim files a formal complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures. Complaint Procedures

All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures.

Regulation 5145.71: Title IX Sexual Harassment Complaint Procedures

Last Reviewed Date: 08/13/2020

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal from School

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or

Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference

3. Education of the student regarding the impact of the conduct on others
4. Positive behavior support
5. Referral of the student to a student study team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

APPENDIX D: IDENTIFICATION & EDUCATION UNDER SECTION 504

Regulation 6164.6: Identification and Education Under Section 504

Last Revised Date: 02/16/2023

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the Federal Rehabilitation Act of 1973: (34 CFR 104.7)

Kevin Wythe
Coordinator of Student Support Services
Sierra Vista Education Center
1327 A N. Norma St. Ridgecrest, CA 93555
Email: studentservices@ssusd.org
Phone: (760) 499-1700

Definitions

For the purpose of implementing Section 504, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, at no cost to the student or his/her parent/guardian except when a fee is specifically authorized by law for all students. (34 CFR 104.33)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine. (28 CFR 35.108)

Mental impairment means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (28 CFR 35.108)

Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.
2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multidisciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services,

accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a person with a disability under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)
5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of

that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, or if the parent/guardian did not request an administrative review, he/she may request a Section 504 due process hearing.

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which he/she disagrees
 - b. The specific relief he/she seeks
 - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)