

## Annual Notification to Parents/Guardians



# SOLEDAD UNIFIED SCHOOL DISTRICT

2018-2019

Timothy J. Vanoli, District Superintendent

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August 2018

Dear Parents and Guardians:

**Welcome** to the 2018-19 school year!

Our District staff is looking forward to working with you and your child this school year. It is our goal that your child will have a successful school year and working together as a team to support your students, we can reach this goal.

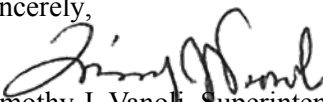
Our school district will provide a rigorous program to all students in a safe and orderly environment. The push to have all students be college and career ready will have a positive impact on all students. This coming year, our students will continue to participate in the California Assessment of Student Performance and Progress (CAASPP). CAASPP is the new state assessment program that will measure our students' academic growth. To gauge student learning overtime, teachers will also be using NWEA tests to inform their instruction. This will inform their instruction to adjust their teaching to the learning needs of each student.

An important factor in student achievement is the support and direction that parents give to their children. After all, you are your child's first teacher. Please take a moment to review the information provided in this booklet with your child. Additional information can be viewed on our website [soledadusd.org](http://soledadusd.org). There is opportunity for you to get involved at the schools and the district through a variety of committees. Your voice is important to us.

The Soledad Unified School District's Local Control Accountability Plan (LCAP) focuses its resources on the achievement and personal success for each student. The LCAP can be viewed at [soledadusd.org](http://soledadusd.org). Thanks to your support, our district is well on its way in building our new state of the art middle school. We are also thankful for the recent passage of Measure G which will provide needed facility improvement across the District.

As we look forward to this school year, we are happy to provide additional information or answer any questions you may have regarding our district. Please feel free to contact us if you have a question, a concern, or would like to volunteer your assistance.

Sincerely,

  
Timothy J. Vanoli, Superintendent

**Please review the material in this booklet.  
Then SIGN and RETURN the acknowledgement form.**



# Soledad Unified School District

## Vision Statement

Soledad Unified School District students will demonstrate high levels of literacy in all academic fields, use effective thinking and productive organizational skills, show positive and healthy personal and civic responsibility, express the ability to be both independent and cooperative, appreciate diverse cultures, and develop meaningful and rewarding social relationships. Our students will achieve their best and be a source of pride for themselves, their parents, their community, and the world.

## Mission Statement

The results of the Soledad Unified School District’s efforts will be evidenced by:

### **Students:**

Increasing levels of success on standards based achievement measures.

### **Staff:**

Employ and retain administrators, teachers and support staff who are highly-qualified, dedicated, and effective, hold themselves and students to high personal and academic expectations and demonstrate continuous self improvement that drives program and student success.

### **Educational Program:**

Provide a vigorous, high-quality, engaging and targeted educational program that prepares our diverse students to meet or exceed district and state standards, and state and national performance targets that teaches the skills to inspire students to be life-long learners, and supports success in higher education, employment, citizenship, and family life.

### **Facilities, equipment, and materials:**

Provide safe and secure facilities that are clean and well-maintained, well-planned and state-of-the-art; with a sufficient number of current textbooks and instructional materials that are aligned to standards.

### **Learning environment:**

Maintain a learning environment that is caring, nurturing, and positive, and demonstrates trust, respect, and tolerance among all the schools’ stakeholders.

### **Strategic partnerships:**

Establish and maintain partnerships with community, business, government leaders, and post secondary institutions that secure and maximize resources and talents.

## **In this Booklet**

|  |    |
|--|----|
| Attendance . . . . .   | 5  |
| Calendar . . . . .   | 38 |
| Discipline . . . . .   | 24 |
| Discrimination, Protections, Complaints and Procedures . . . . . | 28 |
| District Facilities . . . . .                                    | 37 |
| Dress and Grooming . . . . .                                     | 22 |
| Health Services . . . . .  | 19 |
| Instruction and Curriculum. . . . .                              | 10 |
| Parent Involvement . . . . .                                     | 3  |
| School Records and Student Achievement . . . . .                 | 12 |
| Student Behavior and Safety . . . . .                            | 21 |
| Student Rights and Responsibilities. . . . .                     | 4  |
| Student Services . . . . .                                       | 14 |

# PARENT INVOLVEMENT

## General Expectations

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:

- A. That parents play an integral role in assisting their child's learning;
- B. That parents are encouraged to be actively involved in their child's education at school;
- C. That parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- D. The carrying out of other activities, such as those described in section 1118 of the ESEA.

## Parent Involvement Policy

The Board of Trustees recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

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

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

### Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program.

Soledad Unified School District shall provide full opportunities for the participation of parents with limited English proficiency, parent with disabilities, and parents of migratory students including providing information and school reports required under 20 USC 6311 in a format and to the extent practicable, in a language such parents understand. [20 USC 6318(f)]

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318.

The Superintendent or designee shall consult with parents/guardians of participating students

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

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

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The references at the end of the sections in this booklet include the following codes:

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| BP . . . District Board Policy           | FAC . . . Food and Agriculture Code  |
| AR . . . Administrative Regulation       | USC . . . United States Code   |
| EC . . . Education Code                  | CFR . . . Code of Federal Regulations                                      |
| HSC . . . Health and Safety Code         | ESEA . . . Elementary and Secondary Education Act [20 USC 7114(D)(7)]      |
| PC . . . Penal Code                      | PPRA . . . Pupil Privacy Rights Amendment                                  |
| WIC . . . Welfare and Institutions Code  | FERPA . . . Family Educational Rights and Privacy Act                      |
| CCR . . . California Code of Regulations | PPACA . . . Patient Protection and Affordable Care Act [PL 111-148]        |
| CC . . . Civil Code                      | Title VI . . . Title VI of the Civil Rights Act of 1964 [42 USC 1981]      |
| FC . . . Family Code                     | Title IX . . . Title IX of the Civil Rights Act of 1964 [20 USC 1681-1688] |
| GC . . . Government Code                 | IDEA . . . Individuals with Disabilities Education Act                     |
| CCP . . . Code of Civil Procedure        | § 504 . . . Section 504 of the Rehabilitation Act of 1973 [29 USC 794(a)]  |
| VC . . . Vehicle Code                    | EOA . . . Equal Opportunities Act [20 USC 1701]                            |
| BPC . . . Business and Professions Code  |  |

in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities.

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent involvement policy in accordance with 20 USC 6318. [BP 6020 June 2014; EC 11500-11506, 48985, 51101, 64001; LC 230.8; 20 USC 6311, 6312, 6314, 6316, 6318; 28 CFR 35.104, 35.16]

## **☰ Parent Communication Process**

We encourage families and staff to resolve problems collaboratively. Teamwork, and getting conflicts resolved in a timely manner, is very important to your child's education. Resolving: should you have a problem at your child's school, follow the steps outlined below.

It is very important to include your child's teacher in the process and document all contacts you have with personnel.

Step 1: Always start with the person with whom you have a concern. They may not be aware of your concern and want to hear from you.

Step 2: If the problem or conflict is unresolved, it is essential that the school principal be included in the process of resolving your concern.

Step 3: If the issue cannot be resolved at the school site with the principal, you may address your concern or conflict with the Student and Parent Support Coordinator at your school site or with the District Community Parent Support Liaison

Step 4: If the issue cannot be resolved at step 1, 2, or 3, your concern may be resolved within the district uniform complaint officer.

Step 5: If it is not resolved at step 4, then you may contact the Assistant, Associate, or District Superintendent.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **☰ Student Rights**

#### **Equal Education Opportunity**

The schools must give all students the opportunity to get an education. Students have the right to a free education until the age of 18 or until they graduate from high school. Students may not be kept out of any course, program or activity at school because of sex, race, religion, or ethnic origin. Students have the right to equal educational opportunity without being disturbed by the misbehavior of other students or by people who do not belong on campus.

#### **Freedom of Expression**

Subject to the limitations contained in Administrative Regulation 5145.2, which requires prior authorization, the following are permitted:

- Students may say or write their personal opinions.
- Students may circulate petitions with prior approval.
- Students may use certain bulletin boards to put up notices

about school activities. Posting of these notices is subject to prior approval.

- Students may express themselves by wearing symbols of what they believe, insofar as they do not disrupt the educational process, and comply with the Dress Code (See Dress Code). These symbols may be things like buttons or badges.
- Students may not express themselves in ways that use foul language, make lies seem like the truth, or in ways that may lead others to illegal actions.
- No student shall keep other students from expressing him or herself. No form of expression will be allowed to disturb the classes or activities at school.

#### **Freedom Of Assembly**

Students may hold meetings during non-class times as long as the meetings do not disturb classes and do not interfere with other school activities.

#### **Due Process**

Students facing punishment for their actions at school have a right to due process before they are disciplined, suspended or expelled. This process must be fair and must clearly show what the students have done wrong and what the punishment will be.

#### **Request Prevention Services**

Students may request assistance in resolving conflicts or disagreements with others. Requests for such assistance can be made through a teacher, administrator, or Conflict Resolution Team member.

Students may request assistance in dealing with a drug, alcohol or tobacco use issue through any staff member.

### **☰ Student Responsibilities**

#### **Respect The Rights Of Others To Study and Learn**

All students have a right to receive an education within a safe learning environment. No one has the right to keep others from obtaining their education.

#### **Attend School Daily**

In California, a student is required by law to attend school until the age of 18 or graduation from high school. Schools cannot educate students who do not attend class.

#### **Be On Time For All Classes**

Students who come late to class often disturb others who are already there and have started their lessons. Being on time is an important habit to develop in school. Tardiness will lead to disciplinary action.

#### **Obey School And Classroom Rules**

Rules are necessary so that the school can educate students. All students are expected to follow these rules and to be responsible and respectful at school.

#### **Cooperate With School Personnel**

Teachers and staff need student cooperation in order to help students learn. All school personnel need cooperation in order to make the school operate efficiently.

## **Be Courteous To Everyone**

Students are responsible for the way in which they treat other people.

## **Complete All Class Work And Homework, Participate In Class, And Meet Deadlines**

Students must complete their class work, participate in class activities, and complete the work that is required of them outside of the classroom.

## **Respect Public Property And Carefully Use And Return All Materials and Equipment**

Students will be issued textbooks valued at more than \$150.00. Students and their parents are liable if textbooks are lost or damaged, and for any damage or destruction of school property up to \$10,000. Students are expected to protect textbooks from damage by using textbook covers.

Each student is entitled to sufficient instructional materials in accordance with law. Instructional materials are an expensive resource. Instructional materials provided for use by students remain the property of the district. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from normal use. When materials are lost or so damaged that they are no longer usable, the student shall be immediately issued a replacement material. However, students or parents/guardians shall be responsible for reparation equal to the current replacement cost of the materials. When materials are damaged but still usable, the Superintendent or designee shall determine an appropriate charge. If reparation is not excused and not paid by the student or parent/guardian, the district may withhold the student's grades, diploma and transcripts in accordance with law, Board policy, and administrative regulation. Students are responsible for the replacement costs or reimbursement for lost or willfully damaged materials, equipment and uniforms issued for athletics and co-curricular activities unless the costs have been covered through fundraising or other resources.

## **Come To Class With Necessary Books And Materials**

Students are expected to bring assignments, books and materials to class. Without these materials a student cannot be successful.

## **See That School Letters To Parents Reach Home**

Students are expected to take notices and messages home. Parents are encouraged to contact the school regarding their children's progress at any time.

## **Use and Maintain School Lockers Properly**

Lockers are used in grades 9-12 only for physical education. They are to be used for temporary storage of school-related supplies, equipment and personal items. Lockers are school property and at any time may be inspected by the administration.

## **Neither Bring Nor Possess Electronic Devices**

Mp3 players (including iPod®)/CD players/walkmans/amplifiers/other personal stereos, laser pens, electronic games, or other personal electronic devices (excluding cellphones or pagers) are not permitted on school premises, at school-sponsored activities, and at any time while students are under

the supervision and control of district employees. These devices shall be confiscated from students and may be returned to the parents. [EC 48901.5]

## **Use Proper Language**

A student's expression may not disrupt the classes or activities of the school. Students should refrain from any profanity, offensive or sexual remarks, or language that may be inflammatory (e.g., racial, gender, etc.)

## **School Rules**

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [EC 35291, 48980, 51101]

School rules will be developed at each site with advice from parents/guardians, teachers, administrators, security personnel (if any), and students for high schools or middle schools. The rules will be reviewed at least every four years. [BP/AR 5144 September 2014; EC 35291.5]

## **ATTENDANCE**

### **General Absences**

Children cannot learn if they are not in school. Children learn early about being on time and not missing school. For students 6 to 18 years old, daily school attendance is compulsory. Daily school attendance improves student achievement. Teach your child to be on time and that school attendance is an important family value.

It is also important that you know the state only awards funding to school districts for actual attendance. The state no longer funds districts for the excused absences listed below. Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Other attendance reports, such as truancy, still rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Parents/Guardians have the right to be notified on a timely basis if their child is absent from school without permission. Unexcused absences result in a recorded truancy.

1. Notwithstanding E.C. 48200, a pupil shall be excused from school when the absence is:
  - A. Due to his or her illness.
  - B. Due to quarantine under the direction of a county or city health officer.
  - C. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - D. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - E. For the purpose of jury duty in the manner provided for by law.

- F. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - G. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - H. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - I. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - J. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  - K. Participation in religious instruction or exercises in accordance with district policy.
2. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit thereof. The teacher of any class from which a pupil is absent shall determine the tests and assignments, which shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
  3. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
  4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
  5. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." [EC 48205, 51101]
- Districts may allow students, with parental or guardian consent to be excused to participate in moral or religious exercises or instruction. [EC 46014]

### ● Student Retrieval/Release Policy

Persuant to Ed. Code 44808.5, a student must obtain parent permission to leave campus. Furthermore, only parent/guardian(s) of record and adults 18 years of age or older and shown on the approved contact list may retrieve a student from campus. The procedure is as follows:

1. Parent/guardian/contact checks in at school's administrative office

2. Parent/guardian/contact shows photo identification and requests student be brought/escorted to office
3. Office staff checks the photo identification to verify that the adult is an approved parent/guardian/contact in Student Information System and that the parent/guardian/contact is approved to pick the student up from school
4. Office staff contacts the classroom or otherwise arranges for the student to be brought/escorted to office
5. Approved parent/guardian/contact signs the student out from school
  - At no time will a student be released to another minor.
  - At no time will a student be released to an individual who though may be the parent of the student is not listed on the student data system.
  - A student should not be signed out to an adult without photo identification, unless the school staff member authorizing release has personal knowledge of the approved contact's identity (staff with personal knowledge of approved contact's identity may approve sign-out).

### ● Parental Attendance Responsibilities

During the school year, pupil attendance will be rigorously enforced in the following manner:

1. Unless your child's absence has been requested and approved in advance, you will be contacted regarding your child's absence from school. Parents should try to clear their student's absence within three days either by note or phone call to the attendance clerk.
2. A student who is absent 3 or more consecutive days may be required to present a physician's verification slip to excuse the absence.
3. When a student has had 10 absences in the school year for illness; any further absences for illness must be verified by a physician. When a student has had 10 absences in the school year for illness; any further absences for illness must be verified by a physician. If a doctor's note is not provided, the absence will be unexcused (truant).
4. If your child is absent from school without a valid excuse several times, he/she may be declared a truant or habitual truant. You will be notified in writing that such action has been taken and given the opportunity to meet with appropriate school authorities to discuss your child's attendance problems. The District Attorney will be notified of each truancy report.
5. If the school authorities, the District Attorney, and the Truancy Mediation Officer are unable to correct a pupil's attendance problem, a petition may be filed on behalf of the pupil in juvenile court and, if warranted, criminal charges filed against the parents.
6. In addition, continued absences by your child will be considered by the teacher when assigning grades and will become part of your child's permanent school records.

All verifiable absences need to be cleared within 5 days of the absence. Unexcused absences cannot be changed after four calendar weeks. The option of attending Saturday school may be offered as a means of clearing unverified absences.

We believe that by conscientiously monitoring pupil

attendance and by communication with you as parents, our teachers will be able to provide your child with enhanced educational opportunities and a beneficial learning environment. Please feel free to contact your child's teacher or principal during the school year regarding your child's attendance and academic achievement.

### ● Long Term Absence

While we understand the need for some families to take these unavoidable trips, it is important for parents to understand the significant negative impact extended absences from school have on the education of their student(s).

Parents of K-6 students are also advised that if they choose to take extended leaves/vacations, that their student could lose their spot in their current teacher's classroom and/or school and they may be assigned a different teacher and/or school upon return.

Students, who will be gone for extended absences in excess of five days and plan to continue their academic program, may sign-up for the Independent Study Program through the school site office before leaving. The completed work must be returned to the school site office on the day the student returns in order to receive credit. If the student does not complete the assigned work, this may result in unexcused absences which will be considered truant.

### ● Tardy Policy

A proper learning environment is essential to learning. To maximize the amount of instructional time per period, students are expected to be in class promptly. By encouraging promptness, the school is aiding the students in developing self-discipline and a sense of responsibility. Tardiness will result in teacher and administrator assigned consequences. Tardies in excess of 30 minutes, count as an unexcused absence. (30 minute early pick-up is considered truant.)

### ● Attendance Options

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Students convicted of a violent felony or convicted of a misdemeanor firearms offense may be transferred to another school in the district. Many districts, by agreement, also allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in inter-district transfers. In some cases, the district must provide transportation. Students attending "persistently dangerous" schools can transfer and enroll in a safe school. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48206.3, 48300, 48301, 48306, 48929, 48980, 49068, 51101; 20 USC 7912]

## 1. Intradistrict Open Enrollment

The Board of Trustees desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also maximizing the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of their residence within the district. The Board shall annually review this policy.

### Enrollment Priorities

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

The Superintendent or designee shall grant priority to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment Act list
2. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous"
3. Any student who is a victim of a violent crime while on school grounds
4. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either:
  - a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, social worker, or a properly licensed or registered professional such as a psychiatrist, psychologist, or marriage and family therapist
  - b. A court order, including a temporary restraining order and injunction
5. Any sibling of a student already in attendance in that school
6. Any student whose parent/guardian is assigned to that school as his/her primary place of employment

### Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between first school day in March to the first day of school in August, of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each

school's capacity in a nonarbitrary manner using student enrollment and available space.

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity.

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

### **Transportation**

Except as required for students who transferred out of a Title I program improvement school, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. [BP 5116.1 October 2016; EC 200, 35160.5, 35291, 35351, 46600-46611, 48200, 48204, 48300-48316, 48350-48361, 48980; 5 CCR 11992-11994; 20 USC 6311, 7912]

### **Enrollment/Disenrollment per Site**

Students previously enrolled that are not present on the first day of school may be dropped/disenrolled. Upon returning, the student will be enrolled on space availability at any district school. Special circumstances such as a death in the family, etc. will be considered.

### **Enrollment Within Our District – Mandatory Moves**

At times we are forced to move students from one site/grade to other sites because of any overflow enrollment in that site/grade. This is the procedure that will be followed.

1. Selecting students: Aeries query must show all students that do not belong to that site. Also included in this query, are the students that were disenrolled during the past year. (ISP, vacation, etc.) Sped students are not included in this selection.
2. Students are selected by lottery. They are returned to their site by address. If that site is full, they are sent to another site.
3. These students will be placed on a waiting list and will be the **first** to be returned to the site they had attended (unless there are students with special circumstances). They will be returned before any student that is on the "Force Waiting List".

### **2. Interdistrict Attendance**

The Board of Trustees recognizes that parents/guardians of students who reside in one district may, for a variety of reasons, choose to enroll their child in a school in another district.

### **School District of Choice Program**

The Board has designated the district as a "school district of choice" and shall accept students who reside in other California districts who wish to attend a district school. Each year, the Superintendent or designee shall recommend to the Board the number of transfer students that the district will be able to accept and shall identify the schools, grade levels, and programs that will be able to accept these students.

Upon receiving the Superintendent's recommendation, the Board shall determine the number of students that will be accepted into the district through this program. This number shall be reflected in the minutes of the Board's meeting.

The Superintendent or designee shall establish a selection process which ensures that students are admitted to district schools through a random, unbiased process that prohibits evaluation of whether a student should be enrolled based upon his/her academic or athletic performance. If the number of student applications exceeds the number of transfers the Board has designated for acceptance under the program, the Superintendent or designee shall conduct a random drawing in public at a regularly scheduled Board meeting.

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46611 except under extraordinary circumstances.

The Superintendent or designee shall maintain a record of requests for admittance that contains all of the following:

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred out of and transferred into the district pursuant to this program
3. The race, ethnicity, gender, self-reported socio-economic status, and the district of residence for each student in item #2 above
4. The number of students in item #2 above who are classified as English learners or students with disabilities

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-4 above. By May 15 of each year, the Superintendent or designee shall provide the same information, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, the California Department of Education, and the Department of Finance.

The report to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit.

### **Transportation**

The district shall not provide transportation beyond any school attendance area. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

### **Limits on Student Transfers Out of the District to a School District of Choice**

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of



Schools has given the district a negative budget certification or when the County Superintendent has determined that the district will not meet the state’s standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice. A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to a school district of choice, if the other school district approves the application for transfer. [BP 5117 April 2015; EC 41020, 46600-46611, 48204, 48300-48316, 48350-48361, 48900, 48915, 48915.1, 48918, 48980, 52317]

### **3. Open enrollment**

Due to the transition to the new California Assessment of Student Performance and Progress system, the open enrollment list for 2018-2019 cannot be calculated. The District had at least one school on the list of 1,000 low-achieving schools for the 2015-2016 school year, but many changes have occurred since the creation of this list. For information about transferring to a different school under this provision, please contact the District Office. [EC 48350-48361, 51101]

#### **● Attendance Where Caregiver Resides**

If your child lives in the home of a caregiving adult, as defined by law, or a foster home your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the caregiving adult is required to determine that your child lives in the caregiver’s home. [EC 48204(a), 48980(h); FC 6550-6552]

#### **● Attendance in District in Which Parent/Guardian is Employed**

The district may, but is not required to accept a transfer student whose parent/guardian resides outside the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the boundaries of the school district for a minimum of three days during the school week; or a student whose parent/guardian physically works within the boundaries of the school district for a minimum of 10 hours during the school week. [EC 48204(a)(7), 48980(i)]

#### **District Residency**

District residency will be verified as per Board Policy AR 5111.1.

#### **● Enrollment of Homeless or Foster Youth**

Foster and homeless children living in the District shall be permitted to attend a school in the District unless they: 1) stay enrolled at their school of origin outside the District, 2) their IEP indicates attendance elsewhere, or 3) the parent or guardian, with knowledge of all options, declares in writing otherwise. They also have rights to immediate enrollment in school, site and program attendance, and free after school programs. [EC 48204, 48850-48859, 48645.3, 51225.1, 56055; 5 CCR 4622; WIC 361, 726]

#### **● Individualized Instruction**

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. The District

will provide instruction in the home or in a hospital or other residential health facility if the student meets the District residency requirement. If your temporarily disabled child is located outside your school district, notify both the district where you reside and where the child is located. [EC 48206.3, 48207, 48208, 48980(b)]

#### **● Leaving School at Lunch Time**

The Soledad School Board has established a closed campus policy at all sites. Students may not leave campus at any time during the school day. This is for the security of the campus and to protect your student’s health, safety, and welfare. Please cooperate by not requesting permission for your student to leave campus during the school day. If for any reason a student needs to leave campus they are required to get a permit from the attendance office or the absence may be marked invalid. Students must be picked up in person by a parent/guardian in the school office. [EC 44808.5]

#### **● Minimum Days/Early Release Days/Pupil Free Staff Development Days**

If your child will be affected by minimum days or staff development days, we will give you at least one month’s notice. Each Wednesday that school is in session will be an early release day except as noted in the calendar in this booklet. [EC 48980(c); ne]

#### **Early Release Days – Wednesdays**

Every Wednesday starting on August 15th and ending on June 5th is an early release day. The only exception when there is a different dismissal time for parent conference week, fall, winter or spring break and/or holidays. Please see your child’s school website or check your child’s school calendar.

#### **Dates for Early Release Wednesdays:**

2018: 8/15, 8/22, 8/29, 9/5, 9/12, 9/19, 9/26, 10/3, 10/10, 10/17, 10/24, 10/31, 11/7, 11/14, 11/28, 12/5, and 12/12  
2019: 1/9, 1/16, 1/23, 1/30, 2/6, 2/13, 2/20, 2/27, 3/6, 3/13, 3/20, 3/27, 4/3, 4/10, 4/24, 5/1, 5/8, 5/15, 5/22, 5/29, and 6/5

#### **Elementary Parent Conference Week:**

11/13-11/17/2018 . . . . Dismissal is 1:00 p.m.  
3/11-3/15/2019 . . . . . Dismissal is 1:00 p.m.

#### **Main Street Middle School Parent Conference Days:**

11/13-11/16/2018 . . . . Dismissal is 12:30 p.m.  
3/11-3/15/2019 . . . . . Dismissal is 12:30 p.m.

On June 7, 2019 students will be dismissed at 11:30 a.m.

#### **Open House Dates:**

Wednesday, 8/22/2018. . MSMS, 6-7 pm  
Wednesday, 8/29/2018. . Soledad High, 5:30-7 pm  
Wednesday, 8/29/2018. . Jack Francioni, 6:30-7:30 pm  
Thursday, 8/30/2018 . . . Gabilan Elementary, 6-7 pm  
Wednesday, 9/5/2018. . . San Vicente Elementary, 6-7 pm  
Thursday, 9/13/2018 . . . Rose Ferrero, 6-7 pm  
Wednesday, 9/19/2018. . Frank Ledesma, 6-7 pm

## ● Truancy

The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. The three are truant, habitual truant, and chronic truant.

**Truant:** A student is truant after missing three days of school or three 30-minute periods without a valid excuse.

**Chronic Truant:** A chronically truant student has missed 10 percent or more school days in a school year.

**Habitual Truant:** If a student is truant three or more times in a school year and an effort is made to meet with parents, then the student is a habitual truant.

**Interventions:** Students who are habitually truant, miss a lot of school or are disorderly can be referred to a student attendance review board (SARB), a district attorney mediation program, or the county probation department. Through these programs the student can be given guidance to meet special needs for improving attendance or improving school behavior. The goal is to intervene before a student enters the juvenile justice system or drops out.

**Student Penalties:** First truancy may result in a one-day weekend class. Second truancy may be a written warning from a peace officer that remains in the student's records. Third truancy may result in assignment to an after-school or weekend program, a SARB, a probation officer, or district attorney program. A fourth truancy may result in a chance to improve attendance, but may also result in the student being placed within the jurisdiction of, and as a ward of the juvenile court. Other actions may include required community service, payment of a fine of \$100, attend a truancy mediation program, and loss of driving privileges. A finding of truancy may be handled through available community services.

**Parent Penalties:** In Education Code; first conviction – up to \$100 fine; second conviction – up to \$200 fine; third – up to \$500 fine. In Penal Code; parents of elementary students who are chronic truants face a fine up to \$2,000; imprisonment up to one year; or both. They may also be scheduled to meet regularly with district staff and/or referred for help. It is recommended that the parent or guardian attend classes at school with the student for one day. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5, 48263.6, 48264.5, 48291, 48293, 48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3; VC 13202.7]

## ● Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a

presentation by his teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, they should contact the Community Education Center at 678-6300. [EC 58501]

## INSTRUCTION AND CURRICULUM

### ● District Courses / Review of Curriculum

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may be reproduced at cost. Parents/Guardians have the right to review all course material. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. [EC 49091.14, 51101; PPRA]

### ● Academic and non-academic courses, classes, electives, activities, sports, and related facilities

State and federal law require academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities be available to all students without regard to their gender or gender identity, and irrespective of the gender listed in their records. Beginning in seventh grade counselors will meet with each student regarding course selection. Staff will not counsel students into programs, courses, or careers based on their gender or gender identity. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 49600, 48900; GC 11135, 11138; Title VI, Title IX; § 504; California Interscholastic Federation (CIF) 300D]

### ● California State Academic Standards

California along with most other States developed and adopted common academic standards in core curriculum areas. They are rigorous, internationally benchmarked, and research- and evidence-based.

Each state, and each district in California decides how they will teach and what resources they will use. More information can be found at [www.cde.ca.gov/re/cc/](http://www.cde.ca.gov/re/cc/) or [www.corestandards.org](http://www.corestandards.org). California launched a new computer-based student testing system that ties to the standards for English language arts, mathematics, and science called the California Assessment of Student Performance and Progress (CAASPP). The new tests include the Smarter Balanced Assessment Consortium Assessments, California Science Tests (CAST), California Alternate Assessments (CAA), and Standards-based Tests in Spanish (STS) for Reading/Language Arts. Parents can exempt their child(ren) from CAASPP testing by submitting a letter in writing annually. More information about the CAASPP can be found at [www.cde.ca.gov/ta/tg/ca/](http://www.cde.ca.gov/ta/tg/ca/). [EC 60119, 60604.5, 60615]

English Language Learners are evaluated with the English Language Proficiency Assessments for California (ELPAC) and to identify and measure their progress in English Language proficiency. Students in grades 5, 7, and 9 also participate in Physical Fitness Testing (PFT).

### ● LCFF and LCAP

The LCFF (Local Control Funding Formula) changes the way the State provides money to school districts. Under this new system, school districts receive a uniform base grant for every student, adjusted by grade level. Plus they receive adjustments for the number of students living in poverty, English learners, and foster youth. Then there are further adjustments for concentration of these groups if they are above 55% of the district's enrollment. More information about the LCFF is available at [www.cde.ca.gov/fg/aa/lc/](http://www.cde.ca.gov/fg/aa/lc/).

The LCAP (Local Control Accountability Plan) is a critical part of the LCFF. Each school district is required to engage parents, students, educators, employees, and the community to establish their plan. Anyone can comment to the school board regarding LCAP proposals or expenditures either by submitting comments in writing or at a public hearing held by the school board for that purpose. The plan must describe the overall vision for students, annual goals including language acquisition, and specific action to achieve these goals. The LCAP must focus on eight areas identified as State priorities. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Complaints regarding LCAP may be filed anonymously. [EC 305, 52060, 52062, 52066]

### ● Homeless, Foster, and Juvenile Court Youth

Foster, homeless, and juvenile court youth have special rights related to graduation and partial high school credits. They also have the right to an adult to help make educational decisions. More information can be found at the California Foster Youth Education Task Force, [www.cde.ca.gov/lsp/fy/fosteryouthedrights.asp](http://www.cde.ca.gov/lsp/fy/fosteryouthedrights.asp). Foster and homeless youth also have special rights associated with college, and certain considerations in school discipline. The District Uniform Complaint Procedure may be used to file a complaint. [EC 48645.3, 48645.5, 51225.1, 56055; 5 CCR 4622; WIC 361, 726]

### ● Language Learning Programs

District language learning programs offered include English Language Development (ELD) classes; Structured English Immersion, where nearly all classroom instruction is in English; and Specially Designed Academic Instruction in English (SDAIE) classes. [EC 306, 310(b)(2); 5 CCR 11310]

### ● Student Achievement and Assessments

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

### ● Curriculum and Personal Beliefs

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction upon your written request. [EC 51240]

### Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act. These will include instruction in comprehensive sexual health education, HIV prevention education, and research findings regarding pupil health behaviors and risks. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker for ten cents (10¢) per page. You will be notified before such instruction, and have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. At the discretion of the District, staff give such instruction. If taught by a consultant or guest speaker, or in an assembly, parents will receive notice of the dates, name of organizations, and affiliation of speakers by mail or other commonly used method of notification at least 14 days prior to the dates of the class or assembly. During this class, students in grades 7-12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at [www.leginfo.ca.gov](http://www.leginfo.ca.gov). [EC 51933, 51934, 51937-51939]

### Dissection of Animals

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

### Tests/Surveys on Personal Beliefs

You and/or your children over 18 will be notified and will be asked for written permission before your child is given any test, questionnaire, survey, examination, or marketing material containing questions about your child's, or his/her parents'

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

or guardians’ personal beliefs or practices in politics, mental health, anti-social, illegal, self-incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religion. Parents may also opt out of their child supplying information to be used for marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to the surveys and personal information. Notice will be sent to parents prior to any such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 60614, 51938; 60615; PPRA; 34 CFR 98; ESEA]

## ● University Admissions

### University of California/California State University Admissions

Admission to the California State Universities requires a minimum 15-unit pattern of courses for admission as a first-time freshman. Each unit is equal to a year of study in a subject area. A GPA of 2.0 (C) or higher is required for regular admission. Admittance is based on an eligibility index that combines multiple items. Transfer students are accepted.

Admission to the University of California requires completion of the 15 yearlong high school course list. These courses are also known as the “a-g” subjects. At least seven of the 15 yearlong courses must be taken in the student’s last two years of high school. A GPA of 3.0 (B) or higher is required for California residents. [EC 48980, 51229]

Links to University of California/California State University requirements:

[www.universityofcalifornia.edu/admissions/undergraduate.html](http://www.universityofcalifornia.edu/admissions/undergraduate.html)

[www.calstate.edu/admission/admission.shtml](http://www.calstate.edu/admission/admission.shtml)

[www.csumentor.edu/planning/high\\_school/subjects.asp](http://www.csumentor.edu/planning/high_school/subjects.asp)

[www.csumentor.edu/planning/high\\_school/](http://www.csumentor.edu/planning/high_school/)

[www.ucop.edu/doorways/](http://www.ucop.edu/doorways/)

### Definition of career technical education

A program of study that 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. More information is available about Career Technical Education at California Department of Education, [www.cde.ca.gov/ci/ct](http://www.cde.ca.gov/ci/ct). [EC 48980(1), 51229]

### High School Graduation Requirements compared to UC/CSU Requirements

|                            | EC | CSU             | UC              | Soledad |
|----------------------------|----|-----------------|-----------------|---------|
| History/Social Science (a) | 3  | 2               | 2               | 3       |
| English (b)                | 3  | 4               | 4               | 4       |
| Mathematics (c)            | 2  | 3 <sup>+1</sup> | 3 <sup>+1</sup> | 3       |
| Science (d)                | 2  | 2 <sup>†</sup>  | 2 <sup>†</sup>  | 2       |

|                              | EC | CSU | UC              | Soledad |
|------------------------------|----|-----|-----------------|---------|
| Foreign Language (e)         |    | 2   | 2 <sup>+1</sup> | 2       |
| Visual/Performing Arts (f)   | 1  | 1   | 1               | 1       |
| Career Technical Education ‡ |    |     |                 |         |
| Physical Education           | 2  |     |                 | 2       |
| Health                       |    |     |                 | .5      |
| Career Exploration           |    |     |                 | .5      |
| Community Service (hours)    |    |     |                 | 40      |
| Senior Project               |    |     |                 | 1       |
| Elective (g)                 |    | 1   | 1               | 3       |

+1 One additional year is recommended in Mathematics for both CSU and UC, and in Foreign Language for UC.

† Specifics of courses vary from CSU to UC.

‡ The Soledad Unified School District has adopted a policy that allows Career Technical Education courses to be counted toward graduation. Which “(a)-(g)” requirement applies varies by course.

Soledad Unified School District offers the following Career Technology Education courses that qualify toward the UC/CSU “(a)-(g)” requirements:

- Ag Systems Management . . . . . (d)
- Vet Science II - Lab Science . . . . . (d)
- Intro to Applied Agriculture . . . . . (d)
- Ag and Soil Chemistry . . . . . (d)
- Ag Systems Management . . . . . (d)
- Ag Bio Honors. . . . . (d)
- Sustainable Ag Bio Honors . . . . . (d)
- Animal Science . . . . . (g)
- Veterinary II. . . . . (d)
- Ornamental Horticulture . . . . . (g)
- Floral Design . . . . . (f)
- Digital Arts Media . . . . . (f)
- Careers in Education . . . . . (d)
- Dental Assisting 1 . . . . . (g)

[BP6146.1 April 2016; EC 35186, 48412, 48430, 49701, 51225.3, 51225.5, 51228, 51240-51246, 51410-51412, 51420-51427, 60850-60859; 5 CCR 1600-1651]

### College or Career Counseling

High school counselors are trained to help students prepare for college or career training. They take students through all the steps so nothing is missed including information about financial aid, requirements, and careers. Most counselors are available by appointment and will meet with students and their families. [EC 48980, 51229]

## **SCHOOL RECORDS AND STUDENT ACHIEVEMENT**

### ● Pupil Records

Parents, guardians, foster parents, certain caregivers, and students over 18 have the right to review, get copies, and inspect school records within five business days of a written or

oral request or before any meeting regarding an individualized education program or a hearing. Those records are confidential, and privacy will be maintained. Student records are provided to schools where student transfers or wants to enroll. In some instances information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, scholarship grades, discipline records, commendations, attendance, health information, registration information, and guidance counseling records. The records are maintained at the school site by the principal. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for twenty-five cents (25¢) per page. If you cannot afford the cost of copies they will be provided free of charge. You also have the right to file a written request with the superintendent challenging the records. You can challenge the records if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, comment not based on personal observation with time and date noted, misleading information, or violation of privacy rights. You can file a complaint about how your request was handled with the district or with United States Department of Education. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49063, 49060, 49068, 49069, 49069.3, 49070-49079.7, 51101, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99]

For a smoother transition, through a relationship established with the Department of Defense and the California Department of Education, the District has established guidelines for transferring credits and meeting graduation requirements of students from military families. [EC 51250]

California schools are not required to obtain parent permission to forward school records. We are required to forward records to any California school of new or intended enrollment.

The district is not authorized to permit access to anyone's records without written parental consent except for the following:

#### **Mandatory Access**

The following persons or agencies shall have access to pupil records:

- a. Natural parents, adoptive parents or

- b. School officials and employees for legitimate educational purposes
- c. School Attendance and Review Board members
- d. Other public schools (California) where pupil has enrolled or intends to enroll \*
- e. Federal, state, and county officials for program audit or compliance
- f. Agencies specified by law (child abuse, attacks)
- g. Natural parent or adoptive parent of dependent pupil age 18 or older (within 5 days of request)
- h. Pupil age 16 or completed tenth grade
- i. Those so authorized in compliance with court order \*
- j. Private schools or out-of-state schools of anticipated or new enrollment \*
- k. California School Information Services (CSIS) and CSIS Statewide Student Identifiers (SSID) for state reports mandated by California law.

#### **Permitted Access**

The following persons or agencies may have access:

- a. Appropriate persons in an emergency
- b. Agencies or organizations in connection with students applying for financial aide
- c. Accrediting association
- d. Organizations conducting studies on behalf of the district
- e. Private or out-of-state schools \*
- f. Those persons or agencies so authorized by the parent or guardian with custody (or pupil, if age 18 or older)
- g. The District may also disclose pupil records to school officials with legitimate educational interests. An organization is considered to be a school official with legitimate educational interests, such as improving student performance, when the organization performs functions such as maintaining a student records data bank, that would otherwise be required to be performed by school district employees in the normal course of their duties.

\* Parent/eligible student notification required

#### **Student Data from Social Media Websites**

School Districts may now adopt a plan to gather student information from social media websites. The Governing Board has not adopted such a plan, but may consider it in the future. The information would pertain only to student or school safety, and must be destroyed within one year of the student leaving the District or turning 18. [EC 49073.6]

#### **Release of Directory Information**

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information includes a student's name, address, telephone number, electronic mail address, photograph, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended

by the student. You may have the district withhold any of this information by submitting a request in writing by August 31, 2018. Written notification received after the date specified will be honored, but the student's information may have been released in the interim. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent. [EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA]

### ☛ **Teacher Qualifications**

A provision of federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [ESEA; 20 USC 6311; 34 CFR 200.61]

### ☛ **Information regarding Individual Student Reports on Statewide Assessments**

Upon request, parents have the right to information on the level of achievement of their student on every State academic assessment administered to the student. [ESEA]

### ☛ **School Safety Plan**

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, and disasters. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289, 51101]

### ☛ **Family Emergency Plans**

Students may be sent home at the discretion of the Superintendent of Schools in cases of power failure, storm damage, political unrest, or strategic alert. Parents are encouraged to establish major emergency family protection plans. These plans should provide instructions for students who are sent home from school because of a major emergency. The instructions should include a prearranged family meeting place in case of separation and procedures in the event parents are not home when the children arrive.

## **STUDENT SERVICES**

### ☛ **Student Meal Program**

The District's Food Services Department, starting on July 1, 2018, will serve breakfast and lunch meals daily and at no cost to students to ensure they are fueled and ready to learn. The Community Eligibility Provision (CEP) option available to schools as part of the National School Lunch and School Breakfast Program was implemented by the Healthy, Hunger-

Free Kids Act of 2010, by allowing districts to eliminate the administrative burden of school meal applications to determine eligibility for free or reduced-priced meals.

Under CEP, students have access to free nutritious meals and: 1) parents have less paperwork to worry about; 2) school staff and personnel have the ability now to streamline meal services; 3) but most importantly students have more time to enjoy their meals. [EC 49510-49520, 49558; 42 USC 1761(a)]

### ☛ **Student Use of Technology**

The Board of Trustees intends that technological resources provided by the district 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 shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists 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.

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

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.

Before a student is authorized to use district technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

### **Internet Safety**

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced.

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

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

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet

services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. [BP 6163.4 December 2015; EC 49073.6, 51006, 51007, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506; 20 USC 6751-6777, 6777; 47 USC 254; 16 CFR 312.1-312.12; 47 CFR 54.52]

### **Acceptable Use Agreement and Release of District from Liability**

The Soledad Unified School District authorizes students to use technology owned or otherwise provided by the district as necessary for instructional purposes. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

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

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

### **Definitions**

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

### **Student Obligations and Responsibilities**

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

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

1. Access, post, display, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")

3. Disclose, use, or disseminate personal identification information (such as name, address, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person
4. Infringe on copyright, license, trademark, patent, or other intellectual property rights
5. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers)
6. Install unauthorized software
7. “Hack” into the system to manipulate data of the district or other users
8. Engage in or promote any practice that is unethical or violates any law or Board policy, administrative regulation, or district practice

### **Privacy**

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

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

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

### **Personally Owned Devices**

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

### **Reporting**

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

### **Consequences for Violation**

Violations of the law, Board policy, or this agreement may result in revocation of a student’s access to district technology and/or discipline, up to and including suspension or expulsion.

In addition, violations of the law, Board policy, or this agreement may be reported to law enforcement agencies as appropriate.

### **Internet Safety Policy**

To comply with the Children’s Internet Protection Act, the Soledad Unified School District has adopted the following Technology Acceptable Use Agreement and Internet Safety Policy. Students using district technology and/or accessing the Internet must abide by this agreement.

To block unwanted material, the district is using Internet filtering software administered locally by SUSD’s Technology department, at all school sites, district office and all district owned devices, including devices students take home.

### **Internet Safety Training**

The District’s teachers or designated representatives will provide age appropriate training for students who use the district’s Internet facilities. The training provided will be designed to promote the district’s commitment to:

1. The standards and acceptable use of Internet services as set forth in the Soledad Unified School District’s Student Technology Acceptable Use Agreement and Student Internet Safety Policy;
2. Student safety with regard to:
  - a. safety on the Internet;
  - b. appropriate behavior while on online, on social networking Web sites, and
  - c. chat rooms; and
  - d. cyberbullying awareness and response.
3. Compliance with the Erate requirements of the Children’s Internet Protection Act (“CIPA”).

Following receipt of this training, the student will acknowledge that he/she received the Training, understood it, and will follow the provisions of the District’s Student Technology Acceptable Use Agreement and Student Internet Safety Policy.

### **General Guidelines**

As students in the Soledad Unified School District, students will understand that the Internet is a communication network that will allow students to communicate with people all over the world, and it will enable them to search for and receive information on a variety of topics.

Students will understand that they may encounter material which is controversial and which their parents, teachers or administrators may consider inappropriate or offensive.

Since, on a global network it is impossible to control effectively the content of data; they will understand that it is the user’s responsibility not to initiate access to such material, and to report any observation of access to such material to the teacher or supervisor.

Although the District is using Internet filtering software and teachers, aides and tutors are monitoring the activities of all users, it will be understood that this will not totally prevent access to inappropriate or offensive information by users. The



Soledad Unified School District or its staff members shall not be held responsible or liable for any controversial or offensive material found on the Internet.

It will be understood that the Soledad Unified School District specifically denies any responsibility for the accuracy or quality of information obtained through the Internet. All users will consider the source of the information they obtain, and consider how valid that information may be.

The district reserves the right to monitor the district's systems and any online communications for improper use without advance notice or consent. Computer files, electronic communications, email, and downloaded material, including files deleted from a user's account, are not private.

Students will understand that using the Internet is a privilege. In order to keep this privilege, students will follow the rules and regulations that the Soledad Unified School District has established:

### **Rules**

1. Students shall use the district's technological resources safely, responsibly, and primarily for educational purposes.
2. The student in whose name an online services account is issued is responsible for its proper use at all times. Users shall keep personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own account number
3. Always use good manners whenever writing messages on the Internet.
4. All of student's work on the Internet may, but will not necessarily, be reviewed by their parents and school staff.
5. The District will use filtering software administered locally by SUSD Technology department to block inappropriate access and students will not attempt to interfere with or disable this software.
6. Students will not commit any acts of vandalism. Vandalism includes intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulating the data of any other user, including socalled "hacking."
7. Students shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users' mail.
8. Students will not use or forge another individual's online identity.
9. Students will not engage in any unlawful activities while online.
10. Students will not access and/or vandalize the data of another user.
11. Students will not use the network for financial or commercial gain. Students will not engage in any commercial or other forprofit activities.
12. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
13. Students will not transmit information that encourages the use of tobacco, alcohol, or controlled substances or otherwise promotes associated activities.
14. Students shall not promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
15. Students will respect the rights of copyright owners. Copyright infringement occurs when students inappropriately reproduce a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, students should follow the expressed requirements. If students are unsure whether or not they can use a work, they should request permission from the copyright owner. If students have questions, ask a teacher.
16. Students will only post copyrighted material online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
17. Students will not plagiarize works that they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
18. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
19. Students will never search for, download, or store information that is profane, pornographic, obscene, or that uses language that offends or tends to degrade others.
20. Students will promise to immediately tell school staff if information, pictures, emails or videos are received which are profane, pornographic, obscene, offensive, or make them feel uncomfortable. If another student is deliberately searching for such information that is not allowed, student shall then report them to an adult supervisor.
21. Students shall not give out or reveal anyone's personal information (such as last or family names, home address, phone number, social security number, or any other personally identifiable information.) including their own in chat rooms, online bulletin boards, online pen pals, or any other Internet site.
22. Students shall need to obtain their parent's or guardian's permission before posting or sending a person a picture of himself or herself.
23. Students will never agree to meet with someone they "met" online without first checking with their parents. If parents agree to the meeting, then they will make sure that it is in a public place and they will be present at the meeting.
24. Students will need to understand that people online may not be who they seem. Because students can't see or even hear the other person it would be easy for someone to misrepresent himself or herself. Thus, someone indicating that "she" or "he" is a " 12yearoldgirl or boy" could in reality be an older woman or man.

25. Students shall not share with other students their screen name, user ID or password.
26. Students must obtain their parent's permission before some websites may collect any kind of information from them.
27. If a website obtains information that a student or their parents do not want them to have, the parents and the student may ask that website to delete or erase such information
28. Students will understand that the sites are not supposed to collect more information than they need about the student for the activity they want to participate in. Students shall be able to participate in many activities online without having to give any information about themselves.
29. If a site makes a student uncomfortable, or asks them for more information than they want to share, they shall leave the site immediately and report the site to a teacher or aide.
30. Students shall report any security problem or misuse of the services to the teacher or principal.
31. Any non district owned devices that students connect to the district's network will be subject to the same web filter as district owned devices.
32. Students shall not attempt to gain access to any district resource for which they are not authorized for (i.e. hacking) including access from the internet or district resources.

In addition, students with access to a camera, either standalone or on a district device such as a laptop or iPad, will only use the camera for school purposes and agree not to use it to take inappropriate photos of themselves or others, not to take photos of anyone without their permission, and not to post any photos online or share photos with others unless directed to do so by their teacher. Students with camera access will always abide by the usage guidelines set by their instructor and follow all SUSD policies.

At the school district's discretion, any violation of this Acceptable Use Agreement or any other rules or policies related to technology or Internet access may result in cancellation of the student's access privileges, school disciplinary action, and/or appropriate legal action against the student. [BP 5139 May 2016]

### 📌 School Accountability Report Card

The School Accountability Report Card is available on request, and is available annually by February 1st on the Internet at [soledad.org/school-accountability-report-cards/](http://soledad.org/school-accountability-report-cards/). It contains information about the district and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. [EC 33126, 32286, 35256, 35258, 51101]

### 📌 Limited English Proficient Students

ESEA requires prior notice to be given to parents of limited English proficient students regarding limited English proficiency programs, including the reasons for the identification of the student as limited English proficient, the need of placement in a language instruction educational program, the student's level of English proficiency, how

such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for limited English proficient students. [ESEA]

### 📌 Homeless / Foster Students

Each local education liaison for homeless and foster children shall ensure the dissemination of public notice of the educational rights of foster students or students in homeless situations.

### 📌 Services to Students with Disabilities

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

Please confirm

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. The District has policies guiding procedures for identification and referral. Students identified with special needs will receive a Free Appropriate Public Education in the least restrictive environment. [EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10) (A)(ii), 1412(a)(6)(A); 34 CFR 300.121; ne]

### 📌 Child Find System; Policies and Procedures

Each school district, special education local plan area, or county office is required to establish written policies and procedures for a continuous child-find system which addresses the relationships among identification, screening, referral, assessment, planning, implementation, review and the triennial assessment. The policies and procedures must include, but need not be limited to, written notification of all parents/guardians of their rights and the procedure for initiating a referral for assessment to identify individuals with exceptional needs. [EC 56301]

### 📌 Program Improvement Schools

Parents shall be notified when their child's school is identified a "program improvement" school and the opportunities for school choice and supplemental instruction. [ESEA]

### 📌 Advanced Placement Examination Fees

State funding is available to qualified low-income students to assist in paying all or part of Advanced Placement exams. [EC 48980(j), 52240]

### 📌 Pupil Fees

While there are limited exceptions, families and students should not have to pay fees for most items related to public education. There are four types of fees identified in Education Code:

Pupil Fees: No fees or deposits can be required or collected for items including, but not limited to, materials, supplies,

equipment, uniforms (i.e. band, cheerleading, basketball), lockers, books, class apparatus, musical instruments.

**Educational Activity Fees:** No fees can be required or collected for student participation in an event or activity, either curricular or extracurricular, that is an essential part of a student's education or for transportation to those events. There can be no fees required for registering or participating in regular or extra classes.

**Voluntary Donations:** While voluntary donations may be suggested for activities, no student may be denied participation based on the family's ability to make a donation.

**Exceptions – When fees may be required:** By law, there are exceptions to the prohibition against charging of fees or deposits. These exceptions include, but are not limited to, transportation to non-essential activities, non-essential events where attendance is optional (such as a school dance), food served to students, damage to district provided materials such as textbooks, cost of community service classes, and fingerprinting. Money may also be collected for material used for projects that a student will be taking home, such as, material used in a career class like woodshop or sewing. The Uniform Complaint Procedure can be used regarding pupil fee compliance. A complaint may be filed with the school principal, and may be filed anonymously.

[EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084, 38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630]

## HEALTH SERVICES

### ● Immunizations

Students may not be admitted to a classroom setting in school unless he/she has been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella, tetanus, and varicella (chickenpox) unless the pupil is exempted from the immunization requirement pursuant to Health and Safety Code sections 120365 or 120370. Students must be immunized for varicella or provide proof from a doctor stating child has had the disease. All advancing students, new students, or transferring students in grades 7 through 12 must be fully immunized, including a required booster against pertussis (Tdap). They shall not be admitted without the Tdap booster.

It is this district's policy that there be no "conditional" admittance to schools. Documented proof that immunizations are up-to-date is required before admission to school is granted. This requirement does not apply in at least the following instances:

- If note from physician is supplied saying physical or medical condition does not allow vaccination.
- If a homeless or foster child is enrolling.

The required immunizations are available through a usual source of medical care, County Health Department, a school

nurse, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services.

If an outbreak of a communicable disease occurs at a school, the non-immunized student will be excluded for his/her own safety until such a time as directed by health officials or district administration.

Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying the County Health Department listed in this section. [HSC 120325, 120335, 120338, 120370, 120375, 120400, 120405, 120410, 120415, 120480; EC 48216, 49403, 48852.7, 48853.5; 17 CCR 6000-6075; 42 USC 11432(C)(i); ne]

### ● Physical Examinations

For each child enrolling in the District for the first time in kindergarten or first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. You may have your child immunized at the same time that the physical examination is conducted. [EC 49450; HSC 124085, 124100, 124105]

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

|                   |    |                       |
|-------------------|----|-----------------------|
| Clinica de Salud  |    | Soledad Medical Group |
| 799 Front Street  | OR | 600 Main Street       |
| Soledad, CA 93960 |    | Soledad, CA 93960     |
| (831) 678-0883    |    | (831) 678-0881        |

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

For more information, please refer to Board Policy/ Administrative Regulation 5141.32 [BP/AR 5141.32 June 2014; HSC 124025-124110; 5 CCR 432]

### **Kindergarten and/or First Grade Oral Health Assessment**

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

Parents or guardians must have their child's oral health assessed and have proof of the assessment by May 31 of the student's first school year (kindergarten or first grade).

Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. [EC 49452.8]

### **Vision, Hearing, and Scoliosis Screening**

An authorized person will check your child's vision upon enrollment and in grades 2, 5, and 8 unless the student entered the District in grade 4 or 7. Hearing tests will be conducted when your child is enrolled or first enters a District school. Females in grade 7 and males in grade 8 may be screened for scoliosis (curvature of the spine). These tests may be administered unless you annually give the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying consent. [EC 44878, 49451, 49452, 49452.5, 49455]

### **Nutrition Program**

The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. [EC 49510 et seq.]

### **Medication**

Children may take medication, which is prescribed by a physician, received in its original container, and can get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication or allow the student to self-administer certain medications. This includes allowing a school staff member to volunteer to identify the need for, and administer glucagon and epinephrine to a student. The letter gives permission to a district representative to communicate with the health care provider, pharmacist and acknowledge understanding of how the medication will be administered. Each school determines if it will have staff trained in the use and storage of auto-injectable epinephrine. The District will have a supply of epi-pens at each school site. [EC 49414, 49414.3, 49414.5, 49423, 49480]
3. The Parent or Legal Guardian is responsible for completion of Medication Authorization form, written licensed to prescribe medications, which includes the following:
  - Name of child.
  - Name of medication
  - Date it was prescribed
  - Dosage
  - How the medicine is to be given at school
  - When the medicine is to be given at school
  - Special instructions about the child receiving the medication or about the medicine itself
  - Until what date the medicine is to be given at school
  - Possible side effects of the medication

- Possible adverse reactions to the medicine
- Name of the health care provider and how to locate or communicate with him/her if necessary.

### **\*\*Must be signed by parent/guardian and physician\*\***

Additional forms that are need in order to have medication at school.

Exchange of Information form. The health staff needs to be able to reach the physician who prescribed the medication if they have any questions regarding the medication.

Emergency Action Plan: This is filled out by the physician and the parent /guardian. This gives the staff instructions on what to do if your child is in need of medical care.

Parent Questionnaire: This gives the staff future information regarding your child's condition and helps the staff give the best care possible to your child.

Provide each medication in a separate pharmacy-labeled container that includes the child's name, name of the medication, the exact dose to be given, the number of doses in the original container, the time the medication is to be given, how it is to be administered, and the expiration date of the medication.

Children may carry and self-administer a blood glucose level test, diabetes care, inhaled asthma medication, and auto-injectable epinephrine if the rules above are met and if a physician confirms in writing that the student is able to self-administer. [EC 49414, 49414.5, 49423, 49423.1, 49480]

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

### **Sun Protection**

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

### **Medical and Hospital Insurance for Students**

The district DOES NOT provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472]

**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. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local,**

state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Covered California (800) 300-1506 or online at [www.coveredca.com](http://www.coveredca.com). [EC 49471]

### **Enrollment in a Health Care Plan**

All children enrolling in kindergarten, first grade, or transferring into the district and their families must be enrolled in a health care plan. There are several options for getting a health plan; through an insurance agent, or low cost provider such as Medi-Cal and Covered California. [EC 49452.9; PPACA]

### **School-Sponsored Athletics**

If student participates in school-sponsored athletics other than physical education or athletic event during the school day, parents/guardians and the student athlete are required to annually; (1) complete a concussion awareness form, and (2) complete a sudden cardiac arrest awareness form. [EC 33479, 49475]

### **● Drug, Alcohol and Tobacco Prevention Programs**

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs, alcohol, or any form of tobacco product on District premises or as a part of any District activity is strictly prohibited. "Tobacco product" is defined as (i) any product made or derived from tobacco or nicotine that is intended for human consumption, regardless of how consumed; (ii) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device (commonly known as "e-cigarettes"); or (iii) any component, part or accessory of a tobacco product. Except for members of the military, possession of tobacco by those under 21 is illegal and can lead to a \$75 fine or 30 hours of community service. It is illegal to possess synthetic marijuana. The District has adopted no smoking policies. The District has adopted a policy banning electronic-cigarettes (e-cigarettes) and other vapor delivery devices. [EC 48900, 48901; HSC 11357.5, 11375.5; BPC 22950.5(c); PC 308; BP 3513.3 October 2016]

### **Marijuana (Cannabis)**

A student who unlawfully possessed, used, sold, otherwise furnished, or was under the influence of cannabis is subject to expulsion. Any person 18 or older who possesses, sells, dispenses, distributes, furnishes, administers, gives; or offers to sell, dispense, distribute, furnish, administer, or give; or possesses for sale any, concentrated cannabis, synthetic cannabinoid compound, or any synthetic cannabinoid derivative, to any person, can be imprisoned in a county jail not exceeding six (6) months, or by a fine not exceeding \$1,000, or by both. Any person 18 or older possessing marijuana on district property during the school day, depending on the amount and number of offenses, can face consequences including \$250 to \$500 fine and imprisonment for ten (10) days. Any person younger than 18 possessing marijuana, depending on amount and number of offenses, faces up to forty (40) hours of community service, ten (10) hours of drug education, sixty (60) hours of counseling. [EC 48900; HSC 11357, 11357.5]

### **Steroid Prevention Program**

High school athletes must sign a pledge they are not using steroids illegally or they will not be allowed to participate. Parents must sign a form notifying them of the restriction. [EC 49033]

### **● Meningitis**

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and students living in college dorms. For more information please visit the California Department of Public Health website or go to [www.cdph.ca.gov/HealthInfo/discond/Pages/Meningococcal\\_Disease.aspx](http://www.cdph.ca.gov/HealthInfo/discond/Pages/Meningococcal_Disease.aspx) [HSC 120395-120399]

### **● Fluoride Treatments**

Children are eligible for fluoride treatments through a program organized by the county health officer. Parents will get a record that the treatment was applied. The county health officer will determine how to pay for the program. Parents or a student 18 years old or more have the right to refuse this program. This program is not meant to replace regular professional dental care. [Health and Safety Code 104855]

### **● Confidential Medical Services**

School authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. [EC 46010.1]

## **STUDENT BEHAVIOR AND SAFETY**

The behavior of students at school reflects the joint cooperation of the school and home. Pupils, who do not conform to accepted patterns of behavior, place a hardship on all involved: their teachers, their fellow students, their parents, and themselves. The following rules pertaining to discipline shall be communicated to every student at the beginning of the school year or when transfer students enroll during the school year.

### **● Behavior and Conduct**

Teachers and principals are jointly charged with the responsibility of teaching good conduct and maintaining good behavior during the time said pupils are under their care. If there are behavioral concerns, the school administrator will place the student on a behavioral contract.

### **● Civility Policy**

All Soledad Unified School District staff members will treat parents and all other members of the public with respect, and will expect the same in return. The District is committed to maintaining orderly educational and administrative processes in keeping its offices, meetings, and programs free from disruptions so that services to children may be provided in a safe and supportive environment.

These guidelines are developed to promote mutual respect, civility, and orderly conduct among District employees, parents, students, and the public. These guidelines are not

intended to deprive any individual of their right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe and harassment-free environment for all individuals who enter or work within District facilities. The District encourages positive communication, and discourages volatile, hostile, or aggressive actions. The District seeks public cooperation with this endeavor.

### **Disruptions**

1. If any individual uses obscenities, or speaks in a demanding, loud, insulting and/or demeaning manner within a parent conference, telephone or personal conversation, or any other meeting while on District premises, the District administrator or employee to whom the remarks are directed shall calmly and politely request the speaker to communicate in a civil manner.
2. At such time, if possible, the District administrator or employee shall give the parent or other individual a copy of this Civility Policy and review their intent and purpose.
3. If corrective action is not taken by the offending party, the District administrator or employee shall verbally notify the abusing party that the meeting, conference, one to one conversation or telephone conversation is being terminated. If the meeting or conference is on District premises, the offending person will be directed to leave promptly by the principal or the principal's designee. The person will be expected to cooperate with the request to leave the school site. SUSD staff will have the option of calling for Police assistance in the event that the person is uncooperative.  
  
The offending party shall be told that District staff will contact them within 48 hours to reschedule another meeting, if necessary.
4. Any individual who disrupts or threatens to disrupt District operations; threatens the health or safety of District staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction, harasses or sexually harasses a SUSD staff member; or who has otherwise established a continued pattern of unauthorized entry on the grounds of District facilities will be directed to leave District property promptly by the principal or the principal's designee, and shall not be allowed to return for at least 48 hours. In the event that threats are made toward the school staff member(s), the staff member will exercise his/her option to file a police report.
5. When an individual is directed to leave under the above circumstances, the principal or the principal's designee shall inform the individual that he/she may be guilty of a misdemeanor in accordance with California Education Code Sections 32211, 44811, and Penal Code Sections 626.6 and 626.8, if he/she reenters any District facility within 48 hours after being directed to leave.  
  
If an individual refuses to leave upon request or returns before the applicable period of time, the District administrator or designee may notify law enforcement officials.
6. For meetings, conversations, conferences, or other interactions that are conducted within the District Office, the principal shall be considered to be the primary administrator involved in, or responsible for, such meetings, conversations, conferences, or other interactions.

### **Safety and Security**

1. The Director of Special Projects or designee will ensure that a safety and/or crisis intervention techniques program is offered to staff in order to raise awareness of how to respond to such situations in an effective and positive manner if and when they occur.
2. When violence or credible threats of violence are directed against a District employee, the employee shall promptly report the incident to their supervisor and complete an Incident Report. All District employees, supervisors, and administrators should complete such a report and immediately notify law enforcement of any attack, assault, or threat made against them on District premises or at District sponsored activities.

### **Behavior on School Buses**

Severe or continued disorderly conduct or serious misbehavior shall be sufficient reason for a student to be denied transportation on a school bus.

Transportation is a privilege, not a right. Bus drivers are responsible for the orderly conduct of students on the school bus. Misbehavior will be reported to the school office for appropriate disciplinary action. The principal or designee shall notify the student's parent/guardian of the misbehavior, determine the severity of the misconduct, and take action accordingly. In instances of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined appropriate by the principal or designee. If a student is denied school transportation, he/she must find an alternate way of getting to school. Bus surveillance systems may be installed and used on school buses to monitor student behavior while traveling to and from school and school activities.

### **Dress and Grooming**

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

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

### **Gang-Related Apparel**

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

## **Administrative Regulation**

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board of Trustees policy and administrative regulations. These school dress codes shall be regularly reviewed.

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day.

In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice.
3. Hats, caps and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
5. Gym shorts may not be worn in classes other than physical education.
6. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control.

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

## **Gang-Related Apparel**

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus.

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information

is received. [BP/AR 5132 June 2014; EC 32281, 35183, 35183.5, 48907, 49066; 5 CCR 302]

## **Special Activities Apparel**

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports, activities and classes.

No grade of a student participating in a physical education class shall be adversely affected due to the fact that the student does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances beyond the student's control. [EC 49066]

The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.

## **Activities**

Generally dress and grooming standards appropriate for school attendance will be acceptable for activity participation. When uniform dress is appropriate for an activity such as for school bands, all participating students will be required to wear such uniform dress. Grooming requirements may reflect the special conditions of an activity.

## **Athletics**

Dress and grooming standards appropriate for school attendance will be acceptable except when specific conditions require exceptions. Individual teams may choose to adopt more specific grooming standards so long as they are reasonable and appropriate, subject to the approval of the coach and principal. All enforcement of exceptions to general standards must occur in consultation with the principal.

Health and safety conditions applicable to specific sports will serve to determine reasonableness of grooming standards. However, any such standards must meet the spirit and intent of these guidelines and must be identified independently of standards relating to physical conditioning and health requirements and personal conduct and discipline of team members.

## **Performances**

Special dress and grooming standards may be required for public performances, even though uniforms are not provided, so long as they are reasonable and appropriate. School groups will be expected to meet participation requirements of outside organizations when the school participates in such sponsored events.

The principal of a school may prohibit an individual student from wearing a specific article of clothing if it is deemed that the clothing poses a danger to the student in question, other students or is disruptive to the educational process.

## **Handling Infractions**

The Dress Code Policy is adopted by the Board with the understanding that infractions will be handled in a sensitive and fair manner, fully realizing that students in the district come to school with diverse backgrounds and cultures.

It is understood that before the procedure is implemented

for correcting dress infractions, the parent/guardian and student will be informed of the Dress Code Policy.

1. When an infraction is first observed the student will immediately correct the dress code violation. A school loaner shirt may be provided for all shirt violations in order to expedite getting the student to his/her class. The student may have to contact parent/guardian to bring in a proper replacement article of clothing during the lunch break. The student will receive a warning. The student will be required to stow away the article in his/her backpack. Students who refuse to comply may be sent home.
2. In the event of a second infraction, the student will serve one after school detention. The after school detention must be served on the first detention opportunity after the violation occurred. Failure to attend after school detention will result in further disciplinary action.
3. In the event of a third infraction, the student will be referred to an administrator. A parent/guardian conference with an administrator will be held and the student may be placed on a Behavior Contract addressing dress code violations will be signed by both the student and parent/guardian. Serve the Saturday school on first Saturday after the Behavior Contract is signed.
4. In the event of a fourth infraction, the student will be referred to an administrator for defiance. In accordance with Education Code (k) Defiance is grounds for suspension or expulsion.
5. In the event of a fifth infraction suspension will be imposed. Student will not be allowed to participate in sports and any other extracurricular activities nor allowed to attend sports events and any other extracurricular activities for the rest of the semester. NO PRIVILEGES. Ex: School Dances, Rallies, Special Assemblies, Carnival, Halloween Costumes Day, etc.

Students who do not comply with the dress code will be sent home until compliance is met. Students not in school due to noncompliance will be considered an unexcused absence.

### **Cellphones, Pagers, Electronic Signaling Devices, MP3 players**

Districts may regulate the possession or use of any cellphone, pager, iPod®, or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. If a device is used during class, the electronic signaling device or iPod® will be confiscated by the staff, and returned as per Board Policy. Use is allowed if essential to student's health as determined by a licensed physician or surgeon. If a device is turned on, used, or displayed by a student during the school day it will be confiscated by the staff and returned to the student's parent if appropriate by the school administration. The district assumes no responsibility for misusing or stolen electronic devices. [EC 48901.5; ne]

## **DISCIPLINE**

### **Parent Responsibility**

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage

to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$19,600 in damages and another maximum of \$10,800 as adjusted annually by the California Department of Education for payment of a reward, if any. The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904, 51101; CC 1714.1; GC 53069.5]

### **Vandalism**

Graffiti and scratching glass or other material on someone else's property is now considered vandalism and those convicted face fines, imprisonment and the requirement to clean up the damage or perform community service. Parents/Guardians may be liable to pay fines as high as \$10,000 and be required to participate in the clean up. [PC 594]

### **Impersonation on the Internet**

Pretending to be another pupil or real person other than yourself on the Internet or through other electronic methods to harm, intimidate, threaten or defraud is punishable by a \$1,000 fine or imprisonment for up to one year. [EC 48900; PC 528.5]

### **Hate Motivated Behavior**

The Board of Trustees affirms the right of every student to be protected from hate-motivated behavior. Behavior or statements that degrade an individual on the basis as stated in the harassment section will not be tolerated. This includes hazing for any reason. [BP 5145.9 June 2014]

### **Detention for Discipline**

Pupils may be detained in school for disciplinary or other reasons for not more than one hour after the close of the maximum school day.

### **Teacher Suspension**

A teacher may suspend from his or her classroom any pupil for any of the grounds stated in the section titled "Grounds for Suspension or Expulsion" for the day of the suspension and the following day.

### **Principal Suspension**

A principal may suspend a pupil from school for a period not to exceed five consecutive school days for any of the grounds described in the section titled "Grounds for Suspension or Expulsion" for the day of the suspension and the following day.

### **Suspensions**

A suspension is a temporary removal from school or regular classrooms for violation of school rules. A Student on suspension is prohibited from coming on any campus



or attending a school activity during the term of his/her suspension.

A student may not be suspended for more than five days at a time or for more than twenty days in a school year, unless the Board of Trustees takes the action or the student has been enrolled in a special program for adjustment purposes.

A suspended student may be required to complete all work and tests missed during the suspension. When the make-up work is completed, it will be graded for full credit.

The school district may require the parent/guardian of a student who has been suspended to attend a portion of a school day in his/her child's classroom. [EC 48900.1]

## ● Expulsions

An expulsion is the long-term removal of a student from attendance at any school in the district. The Board of Trustees takes action on all expulsions.

## ● Grounds for Suspension or Expulsion

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

- (a) 1. Caused, attempted to cause, or threatened to cause physical injury to another person; or
2. Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) 1. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
2. Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - (D) Causing a reasonable pupil to experience substantial

interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

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

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

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

(iii) An act of cyber sexual bullying. (I) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act. (II) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

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

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

(1) While on school grounds.

(2) While going to or coming from school.

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

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

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

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

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

(w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. [EC 35291, 48900, 48910]

Additionally, sexual harassment, hate violence, harassment, intimidation (grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) may be recommended for suspension or expulsion. [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]

A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, (1) While on school grounds, (2) While going to or coming from school, (3) During the lunch period whether on or off the campus, or (4) During, or while going to or coming from a school sponsored activity. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section. Except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury

shall be subject to discipline pursuant to subdivision (a). As used in this section, “school property” includes, but is not limited to, electronic files and databases.

A superintendent or principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities. [Amended by AB 1411, Ch.21, Statutes of 2003]

### **☰ Mandatory Suspension / Expulsion**

Education Code Section 48915(a): Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that the expulsion is inappropriate, due to the particular circumstance:

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

Education Code Section 48915(c): The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

### **☰ Due Process for Suspensions / Expulsions**

#### **1. Student Hearing**

Except in emergency situations, the principal or designee shall conduct an informal conference with a student prior to suspension and

- present the reason for the suspension
- explain the evidence against him/her
- give the student an opportunity to present his/her version and evidence in his/her defense

#### **2. Parent Notification**

Within one school day of the decision to suspend, the parent or guardian will be sent a written notice with the following information:

- the date and time when the student will be allowed to return to school
- a statement of the right of the parent or the student to examine the student’s record
- the reason for the suspension

No student will be sent home during the day without parent or guardian permission.

#### **3. Parent Conference**

When a student is suspended, the law requires a parent to attend a conference with school officials. [EC 48911]

#### **4. Right To Appeal**

If the pupil or parent wants a further review of the case, a meeting with the Principal may be scheduled. An appeal of the Principal’s review may be forwarded to the Superintendent or designee. The Superintendent or designee will review the evidence, listen to the pupil or parent, and decide if there was sufficient evidence to determine that the violation occurred and whether an appropriate penalty was imposed. [BP/AR 5144.1]

### **☰ Due Process for Expulsions**

#### **1. Student Hearing**

A pupil is entitled to a formal hearing before expulsion is imposed. The pupil and parent will receive written notice of the hearing, which will include the date, time and place of the hearing, as well as the specific charges against the pupil, copies of relevant disciplinary rules or policies and notice of the right to have copies of all documents to be used at the hearing. A student may be placed on an extended suspension pending the formal expulsion hearing.

#### **2. Right To Appeal**

If the Board of Trustees votes to expel the student, its decision may be appealed to the Monterey County Board of Education within thirty (30) days of the Board’s decision.

#### **3. Required Notification**

California law requires that if a student is expelled from school the parent/guardian and student must inform any new district of such expulsion upon registration, and request a hearing from the new District’s Board of Trustees. [EC 48915.1]

#### **4. Readmission**

Any student expelled from the Soledad Unified School District or any other school district must request a Readmission Hearing prior to enrollment in the schools of the district. Requests should be forwarded to the Superintendent's Office. [BP/AR 5144.1 June 2014]

#### **● Student Searches**

The administration may conduct random searches of students and any student property on school property. Random searches will be conducted in accordance with District Policy 5145.2. Students are expected to fully cooperate when drug-sniffing dogs are brought on campus to conduct random searches, including but not limited to, clothes, books, backpacks, vehicles, etc. The district may also utilize metal detectors.

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

The Board authorizes school officials to conduct searches where there is reasonable suspicion that students have engaged, or are engaging, in a violation of law, a school rule or regulation. A student's person, property, vehicle, or school locker may be searched whenever there is cause to believe that the student has in his or her possession contraband, illegal substances, or articles which threaten school activities or the health and safety of students or staff. Appropriate school officials may utilize metal detectors. These inspections will be unannounced. The district shall notify the parent/guardian of a student subjected to an individualized search as soon after the search as possible. [AR 5145.11]

#### **● Release of Student to Peace Officer**

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

### **DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES**

All pupils have the right to participate fully in the educational process, free from discrimination and harassment. Schools have an obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity and ensure safe school sites.

The District is primarily responsible for compliance with local, state and federal laws and regulations and has procedures to address allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected individual or group including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, national origin,

nationality, religion, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program, or activity that receives or benefits from local, state and federal financial assistance.

#### **● Safe Place to Learn**

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites and school activities based on actual or perceived characteristics: race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics at any school sponsored activity. School site staff trained in anti-bias shall be made known. When safe to do so, District employees must intervene immediately when they see discrimination, harassment, intimidation or bullying. Certificated staff, 7-12 grades get information about helping LBGQT students. Resources about bullying, intimidation, and violence are found through the District and online at [www.cde.ca.gov](http://www.cde.ca.gov), [www.cde.ca.gov/ls/ss/se/bullyres.asp](http://www.cde.ca.gov/ls/ss/se/bullyres.asp), [www.cde.ca.gov/ls/ss/se/bullyfaq.asp](http://www.cde.ca.gov/ls/ss/se/bullyfaq.asp), [www.cde.ca.gov/ls/ss/vp/ssresources.asp](http://www.cde.ca.gov/ls/ss/vp/ssresources.asp), [www.californiahealthykids.org](http://www.californiahealthykids.org)

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer below for assistance. [EC 200, 220, 234, 234.1, 234.5, 51101; PC 422, 422.55; 5 CCR 4900; BP 1312.3]

#### **● Nondiscrimination/Harassment**

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, 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.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through

prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

### **Record-Keeping**

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. [BP 5145.3 December

2016; EC 200-262.4, 48900.3, 48900.4, 48904, 48907, 48950, 48985, 49020-49023, 51500, 51501, 60044; CC 1714.1; PC 422.55, 422.6; 5 CCR 432, 4600-4687, 4900-4965; 20 USC 1681-1688, 12101-12213; § 504; Title VI; Title VII; Title IX; 42 USC 6101-6107; 28 CFR 35.107; CFR 99.31, 100.3, 104.7, 106.8, 106.9]

### **Sexual Harassment**

The Board of Trustees 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 targeted 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 his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment 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 incidents of sexual harassment even where the alleged 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 take interim 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 and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

### **Complaint Process and Disciplinary Actions**

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

Upon 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 4-12, 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**

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 district schools. [BP 5145.7 December 2016; EC 200-262.4, 48900, 48900.2, 48904, 48980; CC 51.9, 1714.1; GC 12950.1; 5 CCR 4600-4687, 4900-4965; FERPA; 20 USC 1221, 1681-1688; 42 USC 1983; Title VI; Title VII; 34 CFR 106.1-106.71]

### **Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs**

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or on the basis of a person's association with a person or group with one or more of these

actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

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

Marilyn Cline, Executive Director Human Resources  
1261 Metz Road, Soledad, CA 93960  
(831) 678-3987 [mcline@soledad.k12.ca.us](mailto:mcline@soledad.k12.ca.us)

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, technical training, ROP programs and centers, Agricultural Vocational Education, child development, State Preschool, Early Childhood Education Program Assessments, Consolidated Categorical Aid, Economic Impact Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, American Indian Education Centers, Bilingual Education, nutrition services, special education, after school education and safety, homeless or foster youth education options, course content, physical education (including instructional minutes grades 1-6), discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, ESEA (Titles I-VII), Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 234, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600-4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI, Title IX; § 504; IDEA; 42 USC 2000d, 2000e, 2000h; 34 CFR 106.9]

### **District's Uniform Complaint Policy**

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 the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, after school education and safety programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, consolidated categorical aid

programs, and any other district implemented program which is listed in Education Code 64000(a)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, 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 his/her association with a person or group with one or more of these actual or perceived characteristics
3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student
4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities
5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan
6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements
7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements
8. Any complaint, by or on behalf of a former juvenile court school student who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements
9. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions
10. Any complaint alleging district noncompliance with the physical

education instructional minutes requirement for students in elementary school

11. 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
12. Any other complaint as specified in a district policy

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 acceptable to all parties. ADR 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 he/she is 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 related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

### **Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve 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. [BP 1312.3 May 2017; EC 200-262.4, 222, 8200-8498, 8500-8538, 18100-18203, 32289, 35186, 48853-48853.5, 48985, 49010-49013, 49060-49079, 49069.5, 49490-49590, 51210, 51223, 51225.1-51225.2, 51228.1-51228.3, 52060-52077, 52075, 52160-52178, 52300-52490, 52500-52616.24, 54400-54425, 54440-54445, 54460-54529, 56000-56867, 59000-59300, 64000-64001; GC 11135, 12900-12996; PC 422.55, 422.6; 2 CCR 11023; 5 CCR 3080, 4600-4687, 4900-4965; FERPA; 20 USC 1221, 1681-1688, 6301-6577, 6801-701, 7101-7184, 7201-7283g, 7301-7372, 12101-12213, § 504; Title VI; Title VII; Title IX; 42 USC 6101-6107; 28 CFR 35.1; 34 CFR 100.3, 104.7; 34 CFR 106.8, 106.9, 110.25]

### **District's Uniform Complaint Process**

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

### **Compliance Officers**

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

Marilyn Cline, Executive Director Human Resources  
1261 Metz Road, Soledad, CA 93960  
(831) 678-3987 [mccline@soledad.k12.ca.us](mailto:mccline@soledad.k12.ca.us)

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

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result 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 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.

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties.

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.

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.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in



cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).

4. Include statements that:

- a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
- b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
- c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date 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.
- d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
- e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

- f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
- g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.
  1. A foster youth, homeless student, or former juvenile court school student who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:

- (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
- (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
- (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

- J. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with the CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

- k. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

- l. Copies of the district's UCP are available free of charge.

#### **District Responsibilities**

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record 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.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process.

#### **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.

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 adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization.
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring 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.
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful 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.
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 of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her 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 the compliance officer receives the complaint, he/she 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 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 his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her 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. He/she 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, 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 any 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.

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.

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

### **Report of Findings**

Unless ended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint.

### **Final Written Decision**

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent.

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 attends 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. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include:

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. How 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 actions imposed on the respondent
  - b. Individual remedies offered or provided to 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 to the CDE within 15 calendar days, 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.

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. He/she 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.
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.

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](http://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.

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
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
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or 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
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

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.

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.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, 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.

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.

### Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with the CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision.

Upon notification by the CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE:

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

[AR 1312.3 May 2017]

### ● Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities

Parents should use the District Uniform Complaint Procedure with modifications as necessary, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or urgent facility

conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 35186]

**Williams Settlement complaint procedure**

A complaint form may be obtained, free of charge, at the school office, the district office, or downloaded from the district’s Web site at <http://soledadusd.org>, but the form need not be used to make a complaint. You may also download a copy of the California Department of Education complaint form from this Web site, [www.cde.ca.gov/re/cp/uc](http://www.cde.ca.gov/re/cp/uc). The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint.
4. If the District is required to provide material in a foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.
5. The form will have a box to request a response and indicate where to file the form.
6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of resolution, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same timeframe.
8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

**Further Information is Available**

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

**DISTRICT FACILITIES**

**Management Plan for Asbestos-Containing Material**

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

**Pesticide Use**

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. The identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds. The school’s Integrated Pest Management Plan (IPM) is updated by July 31 each year. The IPM, pesticide names and active ingredients, and application dates are posted on the school and/or district website at <http://soledadusd.org>.

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. For more information please call the MOTF office at (831) 678-2180. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, [www.cdpr.ca.gov](http://www.cdpr.ca.gov). [EC 17610.1, 17612, 48980; FAC 13184]

| <u>Product Name</u>      | <u>Active Ingredient(s)</u>               |
|--------------------------|---|
| Carbon dioxide . . . . . | Carbon Dioxide                            |
| Contrac Blox . . . . .   | Bromadiolone                              |
| Essentria IC-3 . . . . . | Rosemary Oil, Peppermint Oil,<br>Geraniol |



# SOLEDAD UNIFIED SCHOOL DISTRICT DISTRICT CALENDAR 2018-19 CALENDARIO DISTRITO

|   |  | 2018 |     |     |     |     |     |     |            |   |
|---|--|------|-----|-----|-----|-----|-----|-----|------------|---|
|   |  | S/D  | M/L | T/M | W/M | T/J | F/V | S/S |            |   |
|   |  |      |     |     | 1   | 2   | 3   | 4   | AUGUST     |   |
| Staff Development Days – 7-10                             |  | 5    | 6   | 7   | 8   | 9   | 10  | 11  | AGOSTO     | 7-10 – Capacitación para Personal                               |
| First Day of School – 13                                  |  | 12   | 13  | 14  | 15  | 16  | 17  | 18  |            | 13 – Primer día de clases                                       |
|   |  | 19   | 20  | 21  | 22  | 23  | 24  | 25  |            |   |
|   |  | 26   | 27  | 28  | 29  | 30  | 31  |     |            |   |
|   |  |      |     |     |     |     |     | 1   | SEPTEMBER  |   |
| Labor Day – 3   |  | 2    | 3   | 4   | 5   | 6   | 7   | 8   | SEPTIEMBRE | 3 – Día de Trabajadores   |
| {ELPAC: August - October}                                 |  | 9    | 10  | 11  | 12  | 13  | 14  | 15  |            | {ELPAC: agosto - octubre}                                       |
|   |  | 16   | 17  | 18  | 19  | 20  | 21  | 22  |            |   |
|   |  | 23   | 24  | 25  | 26  | 27  | 28  | 29  |            |   |
|   |  |      |     |     |     |     |     |     | OCTOBER    |   |
| Staff Development Days – 1                                |  | 7    | 8   | 9   | 10  | 11  | 12  | 13  | OCTUBRE    | 1 – Capacitación para Personal                                  |
|   |  | 14   | 15  | 16  | 17  | 18  | 19  | 20  |            |   |
|   |  | 21   | 22  | 23  | 24  | 25  | 26  | 27  |            |   |
|   |  | 28   | 29  | 30  | 31  |     |     |     |            |   |
|   |  |      |     |     |     |     |     |     | NOVEMBER   |   |
| Veteran's Day – 12  |  | 4    | 5   | 6   | 7   | 8   | 9   | 10  | NOVIEMBRE  | 12 – Día de los Veteranos                                       |
| Parent Conferences – 13-16<br>(Elementary 1:00 dismissal) |  | 11   | 12  | 13  | 14  | 15  | 16  | 17  |            | 13-16 – Conferencias de Padres<br>(primarias despedido al 1:00) |
| (Middle School 12:30 dismissal)                           |  | 18   | 19  | 20  | 21  | 22  | 23  | 24  |            | (secundaria despedido al 12:30)                                 |
| Thanksgiving Break – 19-23                                |  | 25   | 26  | 27  | 28  | 29  | 30  |     |            | 19-23 – Receso de Acción de Gracias                             |
|   |  |      |     |     |     |     |     |     | DECEMBER   |   |
| Winter Break – 17-31                                      |  | 2    | 3   | 4   | 5   | 6   | 7   | 8   | DICIEMBRE  | 17-31 – Vacaciones de Invierno                                  |
|   |  | 9    | 10  | 11  | 12  | 13  | 14  | 15  |            |   |
|   |  | 16   | 17  | 18  | 19  | 20  | 21  | 22  |            |   |
|   |  | 23   | 24  | 25  | 26  | 27  | 28  | 29  |            |   |
|   |  | 30   | 31  |     |     |     |     |     |            |   |

|   |  | 2019 |     |     |     |     |     |     |          |   |
|---|--|------|-----|-----|-----|-----|-----|-----|----------|---|
|   |  | S/D  | M/L | T/M | W/M | T/J | F/V | S/S |          |   |
|   |  |      |     |     |     |     |     |     | JANUARY  |   |
| Winter Break – 1-4  |  | 6    | 7   | 8   | 9   | 10  | 11  | 12  | ENERO    | 1-4 – Vacaciones de Invierno                                    |
| Staff Development Day – 7                                 |  | 13   | 14  | 15  | 16  | 17  | 18  | 19  |          | 7 – Desarrollo del Personal                                     |
| Students return to school – 8                             |  | 20   | 21  | 22  | 23  | 24  | 25  | 26  |          | 8 – Estudiantes regresan a clases                               |
| Martin Luther King Jr. Holiday – 21                       |  | 27   | 28  | 29  | 30  | 31  |     |     |          | 21 – Día de Martin Luther King Jr.                              |
|   |  |      |     |     |     |     |     |     | FEBRUARY |   |
| Lincoln's Birthday – 11                                   |  | 3    | 4   | 5   | 6   | 7   | 8   | 9   | FEBRERO  | 11 – Día Festivo de Lincoln                                     |
| Presidents' Day – 18                                      |  | 10   | 11  | 12  | 13  | 14  | 15  | 16  |          | 18 – Día de los Presidentes                                     |
|   |  | 17   | 18  | 19  | 20  | 21  | 22  | 23  |          |   |
|   |  | 24   | 25  | 26  | 27  | 28  |     |     |          |   |
|   |  |      |     |     |     |     |     |     | MARCH    |   |
| Parent Conferences – 11-15<br>(Elementary 1:00 dismissal) |  | 3    | 4   | 5   | 6   | 7   | 8   | 9   | MARZO    | 11-15 – Conferencias de Padres<br>(primarias despedido al 1:00) |
| (Middle School 12:30 dismissal)                           |  | 10   | 11  | 12  | 13  | 14  | 15  | 16  |          | (secundaria despedido al 12:30)                                 |
| Cesar Chavez Holiday – 29                                 |  | 17   | 18  | 19  | 20  | 21  | 22  | 23  |          | 29 – Día de Cesar Chavez  |
|   |  | 24   | 25  | 26  | 27  | 28  | 29  | 30  |          |   |
|   |  |      |     |     |     |     |     |     | APRIL    |   |
| Spring Break – 15-22                                      |  | 7    | 8   | 9   | 10  | 11  | 12  | 13  | ABRIL    | 15-22 – Vacaciones de Primavera                                 |
| {CAASPP Testing: April - June}                            |  | 14   | 15  | 16  | 17  | 18  | 19  | 20  |          | {Pruebas CAASPP: abril - junio}                                 |
|   |  | 21   | 22  | 23  | 24  | 25  | 26  | 27  |          |   |
|   |  | 28   | 29  | 30  |     |     |     |     |          |   |
|   |  |      |     |     |     |     |     |     | MAY      |   |
| Memorial Day – 27   |  | 5    | 6   | 7   | 8   | 9   | 10  | 11  | MAYO     | 27 – Día de Conmemoración                                       |
|   |  | 12   | 13  | 14  | 15  | 16  | 17  | 18  |          |   |
|   |  | 19   | 20  | 21  | 22  | 23  | 24  | 25  |          |   |
|   |  | 26   | 27  | 28  | 29  | 30  | 31  |     |          |   |
|   |  |      |     |     |     |     |     |     | JUNE     |   |
| Last Day of School – 7<br>(11:30 a.m. dismissal)          |  | 2    | 3   | 4   | 5   | 6   | 7   | 8   | JUNIO    | 7 – Último día de clases<br>(despido al 11:30 a.m.)             |
|   |  | 9    | 10  | 11  | 12  | 13  | 14  | 15  |          |   |
|   |  | 16   | 17  | 18  | 19  | 20  | 21  | 22  |          |   |
|   |  | 23   | 24  | 25  | 26  | 27  | 28  | 29  |          |   |

Wednesdays are Minimum Days  
Los miércoles son días mínimos

Instructional Days/Días Instruccionales: 180  
Board Approved/Aprobada: 3/08/2017

- Staff Development Day  Capacitación del Personal
- Teacher Workday  Maestros trabajan
- CAASPP Testing Window  Período de Exámenes CAASPP
- Non Student Day  Día Sin Estudiantes
- Mandatory Holiday ★ Día Festivo Obligatorio
- Early Release  Despido Temprano



## SOLEDAD UNIFIED SCHOOL DISTRICT STUDENT / PARENT ACKNOWLEDGMENT FORM 2018-19

Dear Parent or Guardian:

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 information in this booklet. After your review, please sign and return to your child's school this parent/guardian acknowledgment below indicating you have received and reviewed these materials.

If you have any questions regarding this information, please feel free to contact our District office.

Sincerely,

*Timothy J. Vanoli*  
District Superintendent

Student's Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

School \_\_\_\_\_ Grade \_\_\_\_\_

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgment.

By signing below, I am neither giving nor withholding consent for my child(ren) to participate in any program. I am merely indicating that I have received and read the booklet with notices regarding my rights relating to activities which might affect my child(ren).

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

Father/Guardian Signature \_\_\_\_\_

**Note:** These signatures may be used to verify notes submitted to the school to excuse absences.

Mother/Guardian Signature \_\_\_\_\_

Home Phone \_\_\_\_\_ Father/Guardian work phone \_\_\_\_\_ Mother/Guardian work phone \_\_\_\_\_

Emergency Name \_\_\_\_\_ Phone \_\_\_\_\_

### PERMISSION/OBJECTION TO INTERNET USE

The Soledad Unified School District is committed to providing the best possible service to all our patrons. The Internet offers unlimited global access to information. The District is unable to monitor or control the content, accuracy, completeness or type of material available through this medium. Parents/guardians of children under age 18 are responsible for their children's' use of the Internet.

I have read and agree to abide by the Internet Access Policy set forth by the Soledad Unified School District and is included in this notification. I understand that I will lose my access privileges if I do not abide by the policies.

Student's Name \_\_\_\_\_ Date \_\_\_\_\_

Student's Signature \_\_\_\_\_

I **GIVE PERMISSION** for my child to access the Internet at his/her school site.

I **OBJECT** to my student having access to the Internet. This objection must be specifically renewed at the beginning of each school year.

Parent/Guardian Name \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Phone \_\_\_\_\_

### CONTINUING (NON-EPISODIC) MEDICATION (If Applicable)

Student's Name \_\_\_\_\_

School \_\_\_\_\_

Grade \_\_\_\_\_

My child is on a continuing medication program (i.e. asthma and diabetes).

Note: Physical Education (PE) exemption requires a doctor's note.

Physician's Name \_\_\_\_\_

Phone \_\_\_\_\_

Medication \_\_\_\_\_

Dosage \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

### MEDI-CAL/INSURANCE BILLING

Soledad Unified School District submits claims to Medi-Cal for basic health screenings and services given to all students. Revenues received help to provide additional health services for all district students. Parents will not be asked to pay for any school services. I consent to billing to Medi-Cal/Insurance carriers for school health services provided for my child and for exchange of billing information with the school district's billing Service Company.

Student's Name \_\_\_\_\_

Grade \_\_\_\_\_

School \_\_\_\_\_

Preferred Physician \_\_\_\_\_

Phone \_\_\_\_\_

Medical Insurance Carrier \_\_\_\_\_

Policy Number \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

### DO NOT RELEASE DIRECTORY INFORMATION

If you do not wish directory information released, please sign below and return within the next 30 days. This will prohibit the district from providing the pupil's name and other information to the news media, interested schools, parent-teacher associations, employers, military recruiters, and similar parties.

I DO NOT wish for my student's directory information to be released.

Student's Name \_\_\_\_\_

School \_\_\_\_\_

Grade \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

### PHOTOGRAPHS, FILMS, SLIDES, INTERNET, VIDEO and AUDIO TAPE RECORDINGS RELEASE

The Soledad Unified School District (SUSD) has the right and permission to use my child's photograph(s) in promotional materials and publicity efforts. I understand that the photographs may be used in publications, print ads, direct mail, electronic media, video or other forms of promotion. Unless indicated below, I release SUSD from liability for any violation of any personal or proprietary right I may have in connection with such use.

I, \_\_\_\_\_, do not give SUSD permission to use my  
Parent/Guardian's Name, (please print) child's photograph(s) in promotional materials and publicity efforts.

Student's Name \_\_\_\_\_

Home Phone \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_