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# Selected Board Policies & Regulations

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For the full content, go to <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030640&ptid=amIgTZiB9plushNjl6WXhfiOQ==&secid=ruE8yj8gaZHBkLjNHWmKZw>==

# Non-Discrimination

## BP  0410  - Nondiscrimination In District Programs And Activities    6.13.18

The Governing Board is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. [1240](http://gamutonline.net/displayPolicy/442500/0) - Volunteer Assistance)

(cf. [4030](http://gamutonline.net/displayPolicy/991965/0) - Nondiscrimination in Employment)

(cf. [4032](http://gamutonline.net/displayPolicy/442637/0) - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

(cf. [4119.11](http://gamutonline.net/displayPolicy/442752/0)/[4219.11](http://gamutonline.net/displayPolicy/442753/0)/[4319.11](http://gamutonline.net/displayPolicy/442754/0) - Sexual Harassment)

(cf. [4161.8](http://gamutonline.net/displayPolicy/442902/0)/[4261.8](http://gamutonline.net/displayPolicy/442903/0)/[4361.8](http://gamutonline.net/displayPolicy/442904/0) - Family Care and Medical Leave)

(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/0) - Bullying)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/0) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/0) - Sexual Harassment)

(cf. [5145.9](http://gamutonline.net/displayPolicy/443074/0) - Hate-Motivated Behavior)

(cf. [5146](http://gamutonline.net/displayPolicy/910315/0) - Married/Pregnant/Parenting Students)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/0) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/0) - Athletic Competition)

(cf. [6164.4](http://gamutonline.net/displayPolicy/443211/0) - Identification and Evaluation of Individuals for Special Education)

(cf. [6164.6](http://gamutonline.net/displayPolicy/443217/0) - Identification and Education Under Section 504)

(cf. [6178](http://gamutonline.net/displayPolicy/767232/0) - Career Technical Education)

(cf. [6200](http://gamutonline.net/displayPolicy/443254/0) - Adult Education)

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

(cf. [3540](http://gamutonline.net/displayPolicy/442610/0) - Transportation)

(cf. [3553](http://gamutonline.net/displayPolicy/442624/0) - Free and Reduced Price Meals)

(cf. [5145.13](http://gamutonline.net/displayPolicy/1110972/0) - Response to Immigration Enforcement)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. [1330](http://gamutonline.net/displayPolicy/442521/0) - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/0) - Uniform Complaint Procedures)

Pursuant to 34 CFR [104.8](http://gamutonline.net/displayPolicy/274448/0) and 34 CFR [106.9](http://gamutonline.net/displayPolicy/274453/0), the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code [48980](http://gamutonline.net/displayPolicy/226041/0) and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's web site and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(cf. [1113](http://gamutonline.net/displayPolicy/442491/0) - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. [4112.9](http://gamutonline.net/displayPolicy/767202/0)/[4212.9](http://gamutonline.net/displayPolicy/767203/0)/[4312.9](http://gamutonline.net/displayPolicy/767204/0) - Employee Notifications)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/0) - Parental Notifications)

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code [234.7](http://gamutonline.net/displayPolicy/1094077/0))

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. [6163.2](http://gamutonline.net/displayPolicy/443201/0) - Animals at School)

(cf. [7110](http://gamutonline.net/displayPolicy/443258/0) - Facilities Master Plan)

(cf. [7111](http://gamutonline.net/displayPolicy/443260/0) - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. [6020](http://gamutonline.net/displayPolicy/443084/0) - Parent Involvement)

(cf. [9320](http://gamutonline.net/displayPolicy/443304/0) - Meetings and Notices)

(cf. [9322](http://gamutonline.net/displayPolicy/443306/0) - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Dunsmuir Joint Union High School District

5805 High School Way

Dunsmuir, California 96025

(530) 235 4835

rkellaresisnet.ssku.k12.ca.us

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: June 13, 2018 Dunsmuir, California

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## BP  0415 -  Equity    8/18

The Governing Board believes that the diversity that exists among the district's community of students, staff, parents/guardians, and community members is integral to the district's vision, mission, and goals. Addressing the needs of the most marginalized learners requires recognition of the inherent value of diversity and acknowledgement that educational excellence requires a commitment to equity in the opportunities provided to students and the resulting outcomes.

(cf. [0000](http://gamutonline.net/displayPolicy/442451/0) - Vision)

(cf. [0100](http://gamutonline.net/displayPolicy/442453/0) - Philosophy)

(cf. [0200](http://gamutonline.net/displayPolicy/944030/0) - Goals for the School District)

(cf. [0410](http://gamutonline.net/displayPolicy/442456/0) - Nondiscrimination in District Programs and Activities)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/0) - Nondiscrimination/Harassment)

In order to eradicate institutional bias of any kind, including implicit or unintentional biases and prejudices that affect student achievement, and to eliminate disparities in educational outcomes for students from historically underserved and underrepresented populations, the district shall proactively identify class and cultural biases as well as practices, policies, and institutional barriers that negatively influence student learning, perpetuate achievement gaps, and impede equal access to opportunities for all students.

The Board shall make decisions with a deliberate awareness of impediments to learning faced by students of color and/or diverse cultural, linguistic, or socio-economic backgrounds. To ensure that equity is the intentional result of district decisions, the Board shall consider whether its decisions address the needs of students from racial, ethnic, and indigent communities and remedy the inequities that such communities experienced in the context of a history of exclusion, discrimination, and segregation. Board decisions shall not rely on biased or stereotypical assumptions about any particular group of students.

(cf. [6173](http://gamutonline.net/displayPolicy/443223/0) - Education for Homeless Children)

(cf. [6173.1](http://gamutonline.net/displayPolicy/910323/0) - Education for Foster Youth)

(cf. [6174](http://gamutonline.net/displayPolicy/443227/0) - Education for English Learners)

(cf. [6175](http://gamutonline.net/displayPolicy/443230/0) - Migrant Education Program)

(cf. [9000](http://gamutonline.net/displayPolicy/443278/0) - Role of the Board)

(cf. [9310](http://gamutonline.net/displayPolicy/443303/0) - Board Policies)

The Board and the Superintendent or designee shall develop and implement policies and strategies to promote equity in district programs and activities, through measures such as the following:

1. Routinely assessing student needs based on data disaggregated by race, ethnicity, and socio-economic and cultural backgrounds in order to enable equity-focused policy, planning, and resource development decisions

(cf. [0400](http://gamutonline.net/displayPolicy/442455/0) - Comprehensive Plans)

(cf. [0460](http://gamutonline.net/displayPolicy/890963/0) - Local Control and Accountability Plan)

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/0) - Student Assessment)

2. Analyzing expenditures and allocating financial and human resources in a manner that provides all students with equitable access to district programs, support services, and opportunities for success and promotes equity and inclusion in the district. Such resources include access to high-quality administrators, teachers, and other school personnel; funding; technology, equipment, textbooks, and other instructional materials; facilities; and community resources or partnerships.

(cf. [0440](http://gamutonline.net/displayPolicy/991928/0) - District Technology Plan)

(cf. [3100](http://gamutonline.net/displayPolicy/991931/0) - Budget)

(cf. [4113](http://gamutonline.net/displayPolicy/442710/0) - Assignment)

(cf. [7110](http://gamutonline.net/displayPolicy/443258/0) - Facilities Master Plan)

3. Enabling and encouraging students to enroll in, participate in, and complete curricular and extracurricular courses, advanced college preparation programs, and other student activities

(cf. [6141.4](http://gamutonline.net/displayPolicy/1031362/0) - International Baccalaureate Program)

(cf. [6141.5](http://gamutonline.net/displayPolicy/944049/0) - Advanced Placement)

(cf. [6143](http://gamutonline.net/displayPolicy/443120/0) - Courses of Study)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/0) - Extracurricular and Cocurricular Activities)

(cf. [6152.1](http://gamutonline.net/displayPolicy/1049408/0) - Placement in Mathematics Courses)

4. Building a positive school climate that promotes student engagement, safety, and academic and other supports for students

(cf. [5137](http://gamutonline.net/displayPolicy/443024/0) - Positive School Climate)

5. Adopting curriculum and instructional materials that accurately reflect the diversity among student groups

(cf. [6141](http://gamutonline.net/displayPolicy/443096/0) - Curriculum Development and Evaluation)

(cf. [6161.1](http://gamutonline.net/displayPolicy/443179/0) - Selection and Evaluation of Instructional Materials)

6. Providing and/or collaborating with local agencies and community groups to ensure the availability of necessary support services for students in need

(cf. [1400](http://gamutonline.net/displayPolicy/442526/0) - Relations Between Other Governmental Agencies and the Schools)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/0) - Guidance/Counseling Services)

(cf. [6164.5](http://gamutonline.net/displayPolicy/443215/0) - Student Success Teams)

(cf. [6179](http://gamutonline.net/displayPolicy/910327/0) - Supplemental Instruction)

7. Promoting the employment and retention of a diverse staff that reflects the student demographics of the community

8. Providing district staff with ongoing, researched-based, professional learning and professional development on culturally responsive instructional practices

(cf. [4131](http://gamutonline.net/displayPolicy/910308/0) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/0) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/0) - Staff Development)

9. Conducting program evaluations that focus on equity and address the academic outcomes and performance of all students on all indicators

(cf. [0500](http://gamutonline.net/displayPolicy/442472/0) - Accountability)

The Board shall regularly monitor the intent and impact of district policies and decisions in order to safeguard against disproportionate or unintentional impact on access to district programs and achievement goals for specific student populations in need of services.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: August 8, 2018 Dunsmuir, California

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# SARC

## BP  0510  - School Accountability Report Card    5/08

The Governing Board recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement.

The Board shall annually issue a school accountability report card (SARC) for each school site. (Education Code [35256](http://gamutonline.net/displayPolicy/131444/0))

In preparing the district's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data are reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the district's report cards to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code [33126.1](http://gamutonline.net/displayPolicy/226264/0), [35256](http://gamutonline.net/displayPolicy/131444/0))

The Board shall annually approve the SARCs for all district schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the district's programs, personnel, and fiscal operations.

(cf. [0500](http://gamutonline.net/displayPolicy/442472/0) - Accountability)

(cf. [6190](http://gamutonline.net/displayPolicy/443252/0) - Evaluation of the Instructional Program)

(cf. [9000](http://gamutonline.net/displayPolicy/443278/0) - Role of the Board)

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

(cf. [0420](http://gamutonline.net/displayPolicy/442457/0) - School Plans/Site Councils)

(cf. [1100](http://gamutonline.net/displayPolicy/442488/0) - Communication with the Public)

(cf. [1112](http://gamutonline.net/displayPolicy/442490/0) - Media Relations)

Notification and Dissemination of SARCs

The Superintendent or designee shall annually publicize the issuance of the SARCs and notify parents/guardians that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent or designee shall make the SARCs available in paper copy and on the Internet. (Education Code [35256](http://gamutonline.net/displayPolicy/131444/0))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/0) - Parental Notifications)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

Aadopted: May 13, 2008 Dunsmuir, California

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# Internet

## BP  1113 -  District And School Web Sites    11/17

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the Superintendent or designee to develop and maintain district and school web sites. The use of district and school web sites shall support the district's vision and goals and shall be coordinated with other district communications strategies.

(cf. [0000](http://gamutonline.net/displayPolicy/442451/1) - Vision)

(cf. [0440](http://gamutonline.net/displayPolicy/991928/1) - District Technology Plan)

(cf. [1100](http://gamutonline.net/displayPolicy/442488/1) - Communication with the Public)

(cf. [1112](http://gamutonline.net/displayPolicy/442490/1) - Media Relations)

(cf. 1114 - District-Sponsored Social Media)

(cf. [6020](http://gamutonline.net/displayPolicy/443084/1) - Parent Involvement)

Design Standards

The Superintendent or designee shall establish design standards for district and school web sites in order to maintain a consistent identity, professional appearance, and ease of use.

The district's design standards shall address the accessibility of district and school web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

(cf. [0410](http://gamutonline.net/displayPolicy/442456/1) - Nondiscrimination in District Programs and Activities)

Web Site Content

The Superintendent or designee shall develop content guidelines for district and school web sites and assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school web sites.

(cf. [1325](http://gamutonline.net/displayPolicy/442518/1) - Advertising and Promotion)

Privacy Rights

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on district and school web sites.

(cf. [1340](http://gamutonline.net/displayPolicy/442524/1) - Access to District Records)

(cf. [4119.23](http://gamutonline.net/displayPolicy/442768/1)/[4219.23](http://gamutonline.net/displayPolicy/442769/1)/[4319.23](http://gamutonline.net/displayPolicy/442770/1) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5022](http://gamutonline.net/displayPolicy/442949/1) - Student and Family Privacy Rights)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/1) - Student Records)

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school web sites.

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/1) - Release of Directory Information)

The district regards photographs as a category of directory information that would not generally be considered harmful or an invasion of privacy if disclosed. Therefore, a student's photograph, together with his/her name, may be published on district or school web sites unless the student's parent/guardian has notified the district in writing to not release the student's photograph without prior written consent, in accordance with BP/AR 5125.1 - Release of Directory Information.

If students' names are not included, photographs of individual students or groups of students, such as at a school event, may be published on school or district web sites.

Employees' home addresses, personal telephone numbers, and personal email addresses shall not be posted on district or school web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school web sites without the prior written permission of that individual. (Government Code [3307.5](http://gamutonline.net/displayPolicy/210255/1), [6254.21](http://gamutonline.net/displayPolicy/146080/1), [6254.24](http://gamutonline.net/displayPolicy/286703/1))

No public safety official shall be required to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code [3307.5](http://gamutonline.net/displayPolicy/210255/1))

(cf. [3515.3](http://gamutonline.net/displayPolicy/442592/1) - District Police/Security Department)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 21, 2017 Dunsmuir, California

## AR  1113 – Website Design Standards 11/17

The Superintendent or designee shall develop design standards for district and school web sites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the web site. Such standards shall take into consideration the ease of use on a wide range of devices.

In accordance with the requirements of the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973, district and school web sites shall contain features that ensure accessibility for individuals with disabilities, which may include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for web site accessibility. The Superintendent or designee shall regularly review district and school web sites and modify them as needed to ensure legal compliance with accessibility standards.

(cf. [0410](http://gamutonline.net/displayPolicy/442456/1) - Nondiscrimination in District Programs and Activities)

Web Site Content

As applicable, district and school web sites shall provide current information regarding the district's mission and goals, district/school programs and operations, district/school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, and links to educational resources.

(cf. [0440](http://gamutonline.net/displayPolicy/991928/1) - District Technology Plan)

(cf. [0510](http://gamutonline.net/displayPolicy/442473/1) - School Accountability Report Card)

(cf. [1100](http://gamutonline.net/displayPolicy/442488/1) - Communication with the Public)

(cf. [9322](http://gamutonline.net/displayPolicy/443306/1) - Agenda/Meeting Materials)

With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

Any copyrighted material to be posted on a district or school web site shall be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school web site if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC [107](http://gamutonline.net/displayPolicy/437690/1)-[122](http://gamutonline.net/displayPolicy/437705/1). When any copyrighted material is posted, the web site shall include a notice crediting the copyright owner and, as necessary, shall note that permission to reprint the material was granted.

(cf. [4132](http://gamutonline.net/displayPolicy/442810/1)/[4232](http://gamutonline.net/displayPolicy/442811/1)/[4332](http://gamutonline.net/displayPolicy/442812/1) - Publication or Creation of Materials)

(cf. [6162.6](http://gamutonline.net/displayPolicy/443194/1) - Use of Copyrighted Materials)

Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

Roles and Responsibilities

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall review district and school web sites to ensure consistency with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct editorial reviews of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

(cf. [4131](http://gamutonline.net/displayPolicy/910308/1) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/1) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/1) - Staff Development)

Security

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 21, 2017 Dunsmuir, California

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# Campus Access

## BP  1250 -  Visitors/Outsiders    3/15

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

(cf. [1240](http://gamutonline.net/displayPolicy/442500/1) - Volunteer Assistance)

(cf. [5020](http://gamutonline.net/displayPolicy/442946/1) - Parent Rights and Responsibilities)

(cf. [6020](http://gamutonline.net/displayPolicy/443084/1) - Parent Involvement)

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. [6116](http://gamutonline.net/displayPolicy/443094/1) - Classroom Interruptions)

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

(cf. [1112](http://gamutonline.net/displayPolicy/442490/1) - Media Relations)

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code [51512](http://gamutonline.net/displayPolicy/132724/1))

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code [626.7](http://gamutonline.net/displayPolicy/169387/1), the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

(cf. [1312.1](http://gamutonline.net/displayPolicy/442505/1) - Complaints Concerning District Employees)

(cf. [1312.2](http://gamutonline.net/displayPolicy/442507/1) - Complaints Concerning Instructional Materials)

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/1) - Uniform Complaint Procedures)

(cf. [1312.4](http://gamutonline.net/displayPolicy/442513/1) - Williams Uniform Complaint Procedures)

(cf. [3515.2](http://gamutonline.net/displayPolicy/442590/1) - Disruptions)

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code [290](http://gamutonline.net/displayPolicy/226069/1), including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code [626.81](http://gamutonline.net/displayPolicy/420867/1))

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: July 9, 2012 Dunsmuir, California

revised: March 11, 2015

## AR  1250 - Visitors/Outsiders    3/11/15

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 - Classroom Interruptions)

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1112 - Media Relations)

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3515.2 - Disruptions)

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

# Complaints

## BP  1312.3 - Uniform Complaint Procedures    1/12/22

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

1. Accommodations for pregnant and parenting students  (Education Code 46015)
2. Adult education programs  (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs  (Education Code 8482-8484.65)
4. Agricultural career technical education  (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs  (Education Code 8200-8498)
7. Compensatory education  (Education Code 54400)
8. Consolidated categorical aid programs  (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics  (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program  (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act  (Education Code 52059; 20 USC 6301 et seq.)
13. Local control and accountability plan  (Education Code 52075)
14. Migrant education  (Education Code 54440-54445)
15. Physical education instructional minutes  (Education Code 51210, 51222, 51223)
16. Student fees  (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student  (Education Code 222)
18. Regional occupational centers and programs  (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding  (Education Code 64001)
20. School safety plans  (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding  (Education Code 65000)
22. State preschool programs  (Education Code 8235-8239.1)
23. State preschool health and safety issues in license-exempt programs  (Education Code 8235.5)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.  
  
The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.  
  
When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.  
  
The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.  
  
The Superintendent or designee shall maintain 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.  
  
**Non-UCP Complaints**  
  
The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency.  (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services.  (5 CCR 4611)
3. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
4. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education.  (5 CCR 3200-3205)
5. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance.  (5 CCR 15580-15584)
6. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance.  (5 CCR 15582)
7. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.  (Education Code 35186)

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## AR  1312.3 -  Community Relations Uniform Complaint Procedures    1/12/22

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.  
  
**Compliance Officers**  
  
The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws.  The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.  
  
Superintendent/Principal  
Dunsmuir Joint Union High School District  
5805 High School Way  
Dunsmuir, CA  96025  
530-235-48355  
rkellar@dunsmuirhigh.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 another compliance officer is assigned to the complaint.  
  
In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of 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, 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, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. 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.  (Education Code 234.1)  
  
In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties.  (5 CCR 4622)  
  
The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites 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 UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.  
  
**Filing of Complaints**  
  
The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.  
  
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 in the filing of the complaint.  (5 CCR 4600)  
  
Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization.  (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against 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.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board.  (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying.  (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.  (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, 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.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

**Mediation**  
  
Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. 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, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all 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 an 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 upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.  
  
**Investigation of Complaint**  
  
Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.  
  
Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.  
  
In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation.  The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place.  At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.  
  
To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), 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 any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.  Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or 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.  (5 CCR 4631)  
  
**Timeline for Investigation Report**  
  
  
Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.    
  
Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.  
  
The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered.  When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.  
  
If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.  (5 CCR 4631)  
  
For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.  
  
**Investigation Report**  
  
For all complaints, the district's investigation report shall include:  (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.  
  
In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected.  In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report 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 (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.  
  
For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

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

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

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student 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 cocurricular 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, 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, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.  
  
When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.  
  
However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education.  (Education Code 49013, 51222, 51223, 51228.3, 52075)  
  
For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint.  (Education Code 49013; 5 CCR 4600)  
  
**Appeals to the California Department of Education**  
  
Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report.  (5 CCR 4632)  
  
The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following:  (5 CCR 4632)

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

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification:  (5 CCR 4633)

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

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report.  (5 CCR 4632)  
  
**Health and Safety Complaints in License-Exempt Preschool Programs**  
  
Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.  
  
In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements.  For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site.  (Education Code 8212; 5 CCR 4691)  
  
The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations.  (5 CCR 4691)  
  
Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously.  The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint.  (Education Code 8212; 5 CCR 4690)  
  
If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority.  (Education Code 8212; 5 CCR 4692)  
  
Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint.  (Education Code 8212; 5 CCR 4692)  
  
The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.  If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee.  (Education Code 8212; 5 CCR 4692)  
  
If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.  
  
If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632.  (Education Code 8212; 5 CCR 4693, 4694)  
  
All complaints and responses are public records.  (5 CCR 4690)  
  
On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent.  (5 CCR 4693)

## AR  1312.4  - Williams Uniform Complaint Procedures    6/22/22

|  |  |
| --- | --- |
|  | Status: ADOPTED |
|  | **Original Adopted Date:** 04/10/2019 **| Last Revised Date:** 06/22/2022 **| Last Reviewed Date:** 06/22/2022 | see more |

**Types of Complaints**  
  
The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:  (Education Code 35186; 5 CCR 4681)  
   1. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
   2. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
   3. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
   4. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:  (Education Code 35186; 5 CCR 4682)  
   1. A semester begins and a teacher vacancy exists.
   2. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
   3. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.  
        
      *Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester.  (Education Code 35186; 5 CCR 4600)  
        
        
      *Beginning of the year or semester* means the time period from the first day students attend classes for a year-long course or semester-long course though not later than 20 business days afterwards.   
        
      *Misassignment*means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.  (Education Code 35186; 5 CCR 4600)
3. Complaints regarding the condition of school facilities, including any complaint alleging that:  (Education Code 35186; 5 CCR 4683)  
   1. A condition poses an emergency or urgent threat to the health or safety of students or staff.  
        
      *Emergency or urgent threat*means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate.  (Education Code 17592.72)
   2. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.  
        
      *Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.  (Education Code 35292.5)  
        
      *Open restroom* means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs.  (Education Code 35292.5)

In any school serving any of grades 6-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women’s and all-gender restroom, and in at least one men’s restroom.  (Education Code 35292.6)   
  
**Forms and Notices**  
  
The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint.  (Education Code 35186; 5 CCR 4680)  
  
  
The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired.  (Education Code 35186; 5 CCR 4680)  
  
The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)   
  
**Filing of Complaint**  
  
  
A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises.  A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days.  Complaints may be filed anonymously.  (Education Code 35186; 5 CCR 4680)  
  
**Investigation and Response**  
  
The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority.  (Education Code 35186; 5 CCR 4685)  
  
The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.  (Education Code 35186; 5 CCR 4685)  
  
If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint.  If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee.  (Education Code 35186; 5 CCR 4680, 4685)  
  
  
When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.  (Education Code 35186)  
  
If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting.  (Education Code 35186; 5 CCR 4686)  
  
For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632.  (Education Code 35186; 5 CCR 4687)  
  
All complaints and written responses shall be public records.  (Education Code 35186; 5 CCR 4686)  
  
**Reports**  
  
  
On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.  (Education Code 35186; 5 CCR 4686)

# Drones

## BP  3515.21 -  Unmanned Aircraft Systems (Drones)    8/18

The Governing Board recognizes that unmanned aircraft or aerial systems (drones) may be a useful tool to enhance the instructional program and assist with district operations. In order to avoid disruption and maintain the safety, security, and privacy of students, staff, and visitors, any person or entity desiring to use a drone on or over district property shall submit a written request for permission to the Superintendent or designee.

(cf. [1330](http://gamutonline.net/displayPolicy/442521/3) - Use of School Facilities)

(cf. [1330.1](http://gamutonline.net/displayPolicy/635520/3) - Joint Use Agreements)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/3) - Safety)

A small unmanned aircraft system or drone is an aircraft weighing less than 55 pounds that is operated remotely without the possibility of direct human intervention from within or on the aircraft and the associated elements, including communication links and controls, required for the pilot to operate the aircraft safely and efficiently. It does not include model aircraft or rockets such as those which are radio controlled and used only for hobby or recreational purposes. (49 USC 40101 Note; 14 CFR 107.3)

The Superintendent or designee may grant permission to district employees and students for the use of drones only if the planned activity supports instructional, co-curricular, extracurricular, athletic, or operational purposes. Such uses may include, but are not limited to, instruction in science, technology, engineering, and math (STEM), the arts, or other subjects; maintenance of grounds and facilities; and campus security. When used for instructional purposes, there shall be a clear and articulable connection between drone technology and the course curriculum. Students shall only operate a drone on or over district property under the supervision of a district employee as part of an authorized activity.

The Superintendent or designee may grant permission to other persons or entities under terms and conditions to be specified in a memorandum of understanding.

Any person or entity requesting to operate a drone on or over district property, including a district employee, shall provide a description of the type of operation requested, flight location, date and time of the planned flight, anticipated duration, and whether photos and/or video will be taken. As applicable, the applicant shall also present a copy of his/her Certificate of Waiver or Authorization or exemption issued by the Federal Aviation Administration.

Any person or entity, other than a district employee or student, who is requesting or operating a drone on or over district property shall agree to hold the district harmless from any claims of harm to individuals or property resulting from the operation of the drone and provide proof of adequate liability insurance covering such use.

(cf. [3530](http://gamutonline.net/displayPolicy/442608/3) - Risk Management/Insurance)

In determining whether to grant permission for the requested use of a drone, the Superintendent or designee shall consider the intended purpose of the activity and its potential impact on safety, security, and privacy. The decision of the Superintendent or designee shall be final.

Any person authorized to use a drone on district property shall sign an acknowledgment that he/she understands and will comply with the terms and conditions of the district's policy, federal law and regulations, state law, and any local ordinances related to the use of drones.

When any use of drones is authorized, the Superintendent or designee shall notify the drone operator of the following conditions:

1. The operator is responsible for complying with applicable federal, state, and/or local laws and regulations, including federal safety regulations pursuant to 14 CFR 107.15-107.51 which include, but are not limited to, requirements that the drone not be flown at night, above 400 feet in altitude, or over any people unless they are in a covered structure or stationary vehicle. The operator shall maintain the visual line of sight with the drone at all times.

2. The drone shall be kept away from any area reasonably considered private, including, but not limited to, restrooms, locker rooms, and individual homes.

3. The district reserves the right to rescind the authorization for use of drones at any time.

The Superintendent or designee may remove any person engaged in unauthorized drone use on district property and/or may confiscate the drone. He/she may also shut down the operation of any authorized drone use whenever the operator fails to comply with the terms of the authorization or the use interferes with district activity, creates electronic interference, or poses unacceptable risks to individuals or property.

(cf. [3515.2](http://gamutonline.net/displayPolicy/442590/3) - Disruptions)

Any student or staff member violating this policy shall be subject to disciplinary action in accordance with district policies and procedures.

(cf. [4118](http://gamutonline.net/displayPolicy/991942/3) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](http://gamutonline.net/displayPolicy/442923/3) - Dismissal/Suspension/Disciplinary Action)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/3) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/3) - Suspension and Expulsion/Due Process))

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: August 8, 2018 Dunsmuir, California

# **Environment**

## **AR  3514  - Environmental Safety**    6/19

The Superintendent may designate and train one or more employees to oversee and coordinate the district's environmental safety program(s). The responsibilities of the coordinator(s) shall include, but are not limited to, overseeing assessments of district facilities, recommending strategies for the prevention and mitigation of environmental health risks, ensuring effective implementation of environmental safety strategies, and reporting to the Superintendent regarding the district's progress in addressing environmental safety concerns.

(cf. 3510 - Green School Operations)

(cf. [3511](http://gamutonline.net/displayPolicy/442574/3) - Energy and Water Management)

(cf. [3517](http://gamutonline.net/displayPolicy/442607/3) - Facilities Inspection)

(cf. [4157](http://gamutonline.net/displayPolicy/442859/3)/[4257](http://gamutonline.net/displayPolicy/442860/3)/[4357](http://gamutonline.net/displayPolicy/442861/3) - Employee Safety)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/3) - Safety)

(cf. [7111](http://gamutonline.net/displayPolicy/443260/3) - Evaluating Existing Buildings)

(cf. [7150](http://gamutonline.net/displayPolicy/443265/3) - Site Selection and Development)

Indoor Air Quality

In order to provide proper ventilation, humidity, and temperature in school facilities and to reduce indoor air contaminants, the Superintendent or designee shall ensure that the following strategies are implemented:

1. Mechanically driven heating, ventilation, and air conditioning systems shall be operated continuously during working hours except under the circumstances specified in 8 CCR [5142](http://gamutonline.net/displayPolicy/296042/3). The systems shall be inspected at least annually and problems corrected within a reasonable time. Where the air supply is filtered, the filters shall be replaced or cleaned regularly to prevent significant reductions in airflow. Documentation of inspections, tests of ventilation rates, and maintenance shall be retained for at least five years. (8 CCR [5142](http://gamutonline.net/displayPolicy/296042/3)-[5143](http://gamutonline.net/displayPolicy/296043/3))

(cf. [3580](http://gamutonline.net/displayPolicy/442628/3) - District Records)

Staff shall ensure that airflow is not obstructed by the blocking of ventilators with posters, furniture, books, or other obstacles.

2. School facilities shall be regularly inspected for water damage, spills, leaks in plumbing and roofs, poor drainage, and improper ventilation so as to preclude the buildup of mold and mildew. Wet building materials and furnishings shall be dried within 48 hours if possible to prevent mold growth. When evidence of mold or mildew is found, maintenance staff shall locate and repair the source of water intrusion and remove or clean moldy materials.

3. Exterior wall and foundation cracks and openings shall be sealed as soon as possible to minimize seepage of radon into buildings from surrounding soils.

4. Least toxic pest management practices shall be used to control and manage pests at school sites. (Education Code [17608](http://gamutonline.net/displayPolicy/226184/3)-[17614](http://gamutonline.net/displayPolicy/1007286/3); Food and Agriculture Code 13182)

(cf. [3514.2](http://gamutonline.net/displayPolicy/442586/3) - Integrated Pest Management)

5. The Superintendent or designee shall install a carbon monoxide detector or alarm in all school buildings that contain a fuel-burning appliance, fireplace, or forced-air furnace. The device or alarm shall be located in close proximity to the appliance in order to accurately detect and alert school personnel of any leakage of carbon monoxide. (24 CCR 915.1-915.7)

6. Schedules and practices for routine housekeeping and maintenance shall be designed to effectively reduce levels of dust, dirt, and debris. Plain water, soap and water, or low-emission cleaning products shall be used whenever possible. Aerosols, including air fresheners and other products containing ozone, shall be avoided to the extent possible.

(cf. [5141.23](http://gamutonline.net/displayPolicy/571127/3) - Asthma Management)

7. Painting of school facilities and maintenance or repair activities that require the use of potentially harmful substances shall be limited to those times when school is not in session. Following any such activity, the facility shall be properly ventilated with adequate time allowed prior to reopening for use by any person.

8. Paints, adhesives, and solvents shall be used and stored in well-ventilated areas. These items shall be purchased in small quantities to avoid storage exposure.

(cf. [3514.1](http://gamutonline.net/displayPolicy/442584/3) - Hazardous Substances)

9. To the extent possible, printing and duplicating equipment that may generate indoor air pollutants, such as methyl alcohol or ammonia, shall be placed in locations that are well ventilated and not frequented by students and staff.

10. The district's tobacco-free schools policy shall be consistently enforced in order to reduce the health risks caused by second-hand smoke.

(cf. [3513.3](http://gamutonline.net/displayPolicy/944035/3) - Tobacco-Free Schools)

11. Staff and students shall be asked to refrain from bringing common irritants such as furred or feathered animals, stuffed toys that may collect dust mites, scented candles, incense, or air fresheners and from using perfume or cologne, scented lotion or hair spray, nail polish or nail polish remover, or other personal care products that are not fragrance-free in classrooms or other enclosed areas or buildings.

(cf. [6163.2](http://gamutonline.net/displayPolicy/443201/3) - Animals at School)

Outdoor Air Quality

The Superintendent or designee may monitor local health advisories and outdoor air quality alerts, including forecasts of ozone levels, particle pollution, ultraviolet radiation levels, and/or temperature and humidity.

Whenever these measures indicate a significant health risk, the Superintendent or designee shall communicate with each principal so that outdoor activities, especially those requiring prolonged or heavy exertion, may be avoided, limited in duration, or modified as necessary for all persons or for persons who may be particularly susceptible to the health risk involved.

(cf. 5141.7 - Sun Safety)

(cf. [6142.7](http://gamutonline.net/displayPolicy/443111/3) - Physical Education and Activity)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/3) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/3) - Athletic Competition)

Vehicle Emissions

In order to reduce public exposure to toxic air contaminants, school bus drivers and other drivers of commercial motor vehicles shall limit unnecessary idling of vehicles at or near schools in accordance with 13 CCR [2480](http://gamutonline.net/displayPolicy/821226/3). The Superintendent or designee may also request parents/guardians to turn off their vehicles when they are idling on school grounds and encourage students to walk and/or bicycle to school.

(cf. [3540](http://gamutonline.net/displayPolicy/442610/3) - Transportation)

(cf. [3541.1](http://gamutonline.net/displayPolicy/442613/3) - Transportation for School-Related Trips)

(cf. [3542](http://gamutonline.net/displayPolicy/442618/3) - School Bus Drivers)

(cf. 5142.2 - Safe Routes to School Program)

Any diesel-fueled, dual-fueled, or alternative diesel-fueled school bus with a gross vehicle weight rating over 14,000 poundsshall be equipped with a particulate filter designed to reduce particulate matter emissions, oxides of nitrogen emissions, and other pollutants. (13 CCR 2025)

Drinking Water

The quality and safety of the district's drinking water sources shall be regularly assessed, and drinking fountains shall be regularly cleaned and maintained to avoid the presence of dirt, mold, or other impurities or health concerns.

Whenever any contaminants in the drinking water are determined to be a concern, the Superintendent or designee shall take reasonable steps to identify the source and mitigate the concern to ensure the availability of safe drinking water. As needed, the Superintendent or designee shall provide alternative sources of drinking water, such as bottled water, to ensure that students have access to fresh drinking water at mealtimes and at other times throughout the day.

(cf. [3550](http://gamutonline.net/displayPolicy/442620/3) - Food Service/Child Nutrition Program)

Whenever testing of drinking water finds concentrations of lead that exceed federal and state standards, the Superintendent or designee shall notify parents/guardians and take immediate steps to make inoperable any fountains or faucets where excess lead levels may exist. (Health and Safety Code [116277](http://gamutonline.net/displayPolicy/1096641/3))

Lead Exposure

In addition to keeping school facilities as dust-free and clean as possible, the following steps shall be taken to minimize potential exposure to lead in school facilities:

1. Lead-based paint, lead plumbing and solders, or other potential sources of lead contamination shall not be used in the construction of any new school facility or the modernization or renovation of any existing school facility. (Education Code [32244](http://gamutonline.net/displayPolicy/131135/3))

2. Lead exposure hazards shall be evaluated before any renovation or remodeling is begun, and children shall not be allowed in or near buildings in which these activities may create lead dust. Contractors and workers shall comply with state and federal standards related to the handling and disposal of lead debris and the clean-up and containment of dust within the construction area.

3. Lead-based painted surfaces that are in good condition shall be kept intact. If lead-based paint is peeling, flaking, or chalking, contractors or workers shall follow state and federal standards for safe work practices to minimize contamination when removing the paint.

4. Soil with low lead content may be covered with grass, other plantings, concrete, or asphalt. For soil with high lead content, removal and abatement are required.

5. Drinking water shall be regularly tested for lead and remediated as provided in the section "Drinking Water" above.

Any action to abate existing lead hazards, excluding containment or cleaning, shall be taken only by contractors, inspectors, and workers certified by the California Department of Public Health in accordance with 17 CCR [35001](http://gamutonline.net/displayPolicy/368511/3)-[35099](http://gamutonline.net/displayPolicy/368582/3). (Education Code [32243](http://gamutonline.net/displayPolicy/136105/3))

The Superintendent or designee shall notify parent/guardians, teachers, and staff members if significant risk factors for lead exposure are found. (Education Code [32243](http://gamutonline.net/displayPolicy/136105/3))

Mercury Exposure

The Superintendent or designee shall identify any products containing mercury that are present in district facilities and, to the extent possible, shall replace them with mercury-free alternatives.

Staff shall receive information about proper procedures to follow in the event of a mercury spill. Clean-up instructions, a clearly labeled kit with necessary clean-up supplies, and a list of local resources shall be readily accessible.

In the event of a spill, staff shall evacuate all students from the immediate area of the spill, ensure that any clothing or other items with mercury on them remain in the room, open windows to the outside, and close doors to other parts of the school. Staff who are trained in proper clean-up procedures may carefully clean a small spill. As needed for larger or difficult-to-clean spills, the Superintendent or designee shall use an experienced professional referred by the local health department or environmental agency.

Any products containing mercury shall be properly disposed at an appropriate hazardous waste collection facility.

Asbestos Management

The Superintendent shall designate an employee who shall ensure that the district's responsibilities related to asbestos inspection and abatement are implemented in accordance with federal and state regulations. This employee shall receive adequate training to perform these duties, including, as necessary, training on the health effects of asbestos; detection, identification, and assessment of asbestos-containing materials; options for controlling asbestos-containing building materials; asbestos management programs; and relevant federal and state regulations. (40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3))

(cf. [4231](http://gamutonline.net/displayPolicy/910309/3) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/3) - Staff Development)

The designated employee shall ensure that the district complies with the following requirements:

1. School facilities shall be inspected for asbestos-containing materials as necessary in accordance with the following:

a. Any school building that is leased, acquired, or otherwise used by the district shall be inspected for asbestos-containing materials prior to its use as a school building, unless exempted by federal regulations. (40 CFR [763.85](http://gamutonline.net/displayPolicy/191731/3), [763.99](http://gamutonline.net/displayPolicy/191743/3))

b. At least once every six months, the district shall conduct a periodic surveillance consisting of a visual inspection of each school building that contains or is assumed to contain asbestos-containing building materials. (40 CFR [763.92](http://gamutonline.net/displayPolicy/191737/3))

c. At least once every three years, the district shall conduct a re-inspection of all known or assumed asbestos-containing building materials in each school building. (40 CFR [763.85](http://gamutonline.net/displayPolicy/191731/3))

2. Based on the results of the inspection, an appropriate response which is sufficient to protect human health and the environment shall be determined from among the options specified in 40 CFR [763.90](http://gamutonline.net/displayPolicy/191735/3). The district may select the least burdensome response, taking into consideration local circumstances, including occupancy and use patterns within the school building and economic concerns such as short-term and long-term costs. (40 CFR [763.90](http://gamutonline.net/displayPolicy/191735/3))

3. An asbestos management plan for each school site shall be maintained and regularly updated to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. (15 USC [2643](http://gamutonline.net/displayPolicy/437656/3); 40 CFR [763.93](http://gamutonline.net/displayPolicy/191738/3))

The asbestos management plan shall be available for inspection in district and school offices during normal business hours. Parent/guardian, teacher, and employee organizations shall be annually informed of the availability of these plans. (40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3), [763.93](http://gamutonline.net/displayPolicy/191738/3))

(cf. [4112.9](http://gamutonline.net/displayPolicy/767202/3)/[4212.9](http://gamutonline.net/displayPolicy/767203/3)/[4312.9](http://gamutonline.net/displayPolicy/767204/3) - Employee Notifications)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/3) - Parental Notifications)

4. Staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress. (40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3))

5. Inspections, re-inspections, periodic surveillance, and response actions, including operations and maintenance, shall be conducted in compliance with state and federal regulations for the protection and safety of workers and all other individuals. (Education Code [49410.5](http://gamutonline.net/displayPolicy/132354/3); 40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3))

Asbestos inspection and abatement work, preparation of a management plan, and any maintenance activities that may disturb asbestos-containing building materials, except for emergency repairs or small-scale, short-duration maintenance activities, shall be completed by state-certified asbestos inspectors or contractors. (15 USC [2646](http://gamutonline.net/displayPolicy/437659/3); 40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3), [763.85](http://gamutonline.net/displayPolicy/191731/3), [763.91](http://gamutonline.net/displayPolicy/191736/3))

6. All custodial and maintenance employees shall be properly trained in accordance with applicable federal and/or state regulations. (40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3))

All district maintenance and custodial staff who may work in a building that contains asbestos-containing materials, regardless of whether they are required to work with such materials, shall receive at least two hours of related asbestos awareness training. New maintenance and custodial staff shall receive such training within 60 days after beginning employment. Any maintenance or custodial staff who conduct activities that will disturb asbestos-containing materials shall receive 14 hours of additional training. The trainings shall address the topics specified in 40 CFR [763.92](http://gamutonline.net/displayPolicy/191737/3). (15 USC [2655](http://gamutonline.net/displayPolicy/437668/3); 40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3), [763.92](http://gamutonline.net/displayPolicy/191737/3))

7. Short-term workers, such as telephone repair workers, utility workers, or exterminators, who may come in contact with asbestos in a school shall be provided information regarding the locations of known or suspected asbestos-containing building materials. (40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3))

8. Warning labels shall be posted immediately adjacent to any known or suspected asbestos-containing building material located in routine maintenance areas in accordance with 40 CFR [763.95](http://gamutonline.net/displayPolicy/191740/3). (40 CFR [763.84](http://gamutonline.net/displayPolicy/191730/3))

The district shall maintain, in both the district and school offices and for a period of three years, records pertaining to each preventive measure and response action taken; staff training; periodic surveillances conducted; cleaning, operations, and maintenance activities; and any fiber release episode. (40 CFR [763.94](http://gamutonline.net/displayPolicy/191739/3))

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: June 13, 2018 Dunsmuir, California

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## AR  3514.2  - Integrated Pest Management    4/18

Definitions

Integrated pest management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. (Education Code [17609](http://gamutonline.net/displayPolicy/226185/3); Food and Agricultural Code [13181](http://gamutonline.net/displayPolicy/395587/3))

(cf. 3510 - Green School Operations)

School site means any facility used as a child day care facility or for kindergarten, elementary, or secondary school purposes and includes the buildings or structures, playgrounds, athletic fields, vehicles, or any other area of property visited or used by students. (Education Code [17609](http://gamutonline.net/displayPolicy/226185/3))

Program Components

The Superintendent or designee shall designate an employee at the district office and/or school site to develop, implement, and coordinate an IPM strategy that incorporates effective, least toxic pest management practices.

The IPM coordinator shall prepare and annually update a districtwide or school site IPM plan based on the template provided by the California Department of Pesticide Regulation (DPR).

The IPM plan shall include the name of the district and/or school IPM coordinator, the pesticides expected to be applied at the school site by district employees and/or pest control applicators, and a date that the plan shall be reviewed and, if necessary, updated. (Education Code [17611.5](http://gamutonline.net/displayPolicy/1007285/3))

The district shall use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code [13181](http://gamutonline.net/displayPolicy/395587/3))

The IPM plan and this administrative regulation shall not apply to reduced-risk pesticides, including self-contained baits or traps, gels or pastes used for crack and crevice treatments, antimicrobials, and pesticides exempt from registration by law. (Education Code [17610.5](http://gamutonline.net/displayPolicy/226187/3); 3 CCR 6147)

The district's program shall include, but not necessarily be limited to, the following components:

1. Identifying and monitoring pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.

2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazards that would indicate corrective action should be taken.

3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.

4. Considering a full range of possible alternative cost-effective treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for the use of chemical control agents.

5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazardous effects to people and the environment.

No pesticide that is prohibited by DPR or the U.S. Environmental Protection Agency, as listed on the DPR web site, shall be used at a school site. (Education Code [17610.1](http://gamutonline.net/displayPolicy/387868/3))

6. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and product label directions.

(cf. [3514](http://gamutonline.net/displayPolicy/442582/3) - Environmental Safety)

(cf. [3514.1](http://gamutonline.net/displayPolicy/442584/3) - Hazardous Substances)

7. Informing parents/guardians and employees regarding pesticide use as described in the sections "Notifications" and "Warning Signs" below.

8. Ensuring that persons applying pesticides follow label precautions and are sufficiently trained in the principles and practices of IPM as described in the section "Training" below.

9. Evaluating the effectiveness of treatments to determine if revisions to the IPM plan are needed.

Training

The IPM coordinator and any employee or contractor who may be designated to apply a pesticide at a school site shall annually complete a DPR-approved training course on IPM and the safe use of pesticides in relation to the unique nature of school sites and children's health. (Education Code [17614](http://gamutonline.net/displayPolicy/1007286/3); Food and Agricultural Code [13186.5](http://gamutonline.net/displayPolicy/1007197/3))

(cf. [4231](http://gamutonline.net/displayPolicy/910309/3) - Staff Development)

Any district employee who handles pesticides shall also receive pesticide-specific safety training prior to applying pesticides and annually thereafter in accordance with 3 CCR 6724.

Notifications

Staff and parents/guardians of students enrolled at a school site shall be annually notified, in writing, regarding pesticide products expected to be applied at the school site in the upcoming year. The notification shall include at least the following: (Education Code [17612](http://gamutonline.net/displayPolicy/226189/3))

1. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it

2. The Internet address (<http://www.cdpr.ca.gov/schoolipm)> used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code [13184](http://gamutonline.net/displayPolicy/395590/3)

3. If the school has posted its IPM plan, the Internet address where the plan may be found

4. The opportunity to view a copy of the IPM plan in the school office

5. An opportunity for interested persons to register to receive prior notification of each application of a pesticide at the school site

6. Other information deemed necessary by the IPM coordinator

(cf. [1312.4](http://gamutonline.net/displayPolicy/442513/3) - Williams Uniform Complaint Procedures)

(cf. [3517](http://gamutonline.net/displayPolicy/442607/3) - Facilities Inspection)

(cf. [4112.9](http://gamutonline.net/displayPolicy/767202/3)/[4212.9](http://gamutonline.net/displayPolicy/767203/3)/[4312.9](http://gamutonline.net/displayPolicy/767204/3) - Employee Notifications)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/3) - Parental Notifications)

Whenever a person registers to receive notice of individual pesticide application pursuant to item #5 above, the IPM coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application. (Education Code [17612](http://gamutonline.net/displayPolicy/226189/3))

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code [17612](http://gamutonline.net/displayPolicy/226189/3))

If a school chooses to use a pesticide not exempted pursuant to Education Code [17610.5](http://gamutonline.net/displayPolicy/226187/3), it shall post the school or district IPM plan on the school's web site or, if the school does not have a web site, then on the district web site. If neither the school nor district has a web site, then the IPM plan shall be included with the annual notification sent to staff and parents/guardians pursuant to Education Code [17612](http://gamutonline.net/displayPolicy/226189/3) as described above. When not required, the IPM coordinator may post or distribute the IPM plan at his/her discretion. (Education Code [17611.5](http://gamutonline.net/displayPolicy/1007285/3))

Whenever the IPM coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code [17612](http://gamutonline.net/displayPolicy/226189/3))

Warning Signs

The IPM coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. The warning sign shall prominently display the following information: (Education Code [17612](http://gamutonline.net/displayPolicy/226189/3))

1. The term "Warning/Pesticide Treated Area"

2. The product name, manufacturer's name, and the EPA's product registration number

3. Intended areas and dates of application

4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code [17609](http://gamutonline.net/displayPolicy/226185/3), [17612](http://gamutonline.net/displayPolicy/226189/3))

Records

At the end of each calendar year, the IPM coordinator shall submit to DPR, on a form provided by DPR, a copy of the records of all pesticide use at the school site for that year, excluding any pesticides exempted by law and any pesticide use reported by the pest control operator pursuant to Food and Agricultural Code [13186](http://gamutonline.net/displayPolicy/395592/3). The IPM coordinator may submit more frequent reports at his/her discretion. (Education Code [17611](http://gamutonline.net/displayPolicy/226188/3))

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. A school may meet this requirement by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code [17611](http://gamutonline.net/displayPolicy/226188/3))

(cf. [1340](http://gamutonline.net/displayPolicy/442524/3) - Access to District Records)

(cf. [3580](http://gamutonline.net/displayPolicy/442628/3) - District Records)

Pesticide Use near School Site

Upon receiving notification pursuant to 3 CCR 6692 that a grower expects to use agricultural pesticides within one-quarter mile of a school site Monday through Friday from 6:00 a.m. to 6:00 p.m., the principal or designee shall notify the Superintendent or designee, IPM coordinator, staff at the school site, and parents/guardians of students enrolled at the school.

The principal or designee may communicate with any grower within one-quarter mile of the school to request that the grower not apply pesticides during evenings or weekends when school activities are scheduled.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: April 18, 2018 Dunsmuir, California

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## BP  3515   Campus Security    11/19

The Governing Board is committed to providing a school environment that promotes the safety of students, staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

(cf. [4158](http://gamutonline.net/displayPolicy/442874/3)/[4258](http://gamutonline.net/displayPolicy/442875/3)/[4358](http://gamutonline.net/displayPolicy/442876/3) - Employee Security)

(cf. [5131.5](http://gamutonline.net/displayPolicy/443007/3) - Vandalism and Graffiti)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/3) - Safety)

The Superintendent or designee shall develop campus security procedures, which may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/3) - Comprehensive Safety Plan)

Surveillance Systems

In consultation with the district's safety planning committee, other relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

(cf. [5131.1](http://gamutonline.net/displayPolicy/443002/3) - Bus Conduct)

(cf. [5145.12](http://gamutonline.net/displayPolicy/443063/3) - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations around school buildings and grounds. These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

(cf. [5144](http://gamutonline.net/displayPolicy/944044/3) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/3) - Suspension and Expulsion/Due Process)

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

(cf. [4112.6](http://gamutonline.net/displayPolicy/767199/3)/[4212.6](http://gamutonline.net/displayPolicy/767200/3)/[4312.6](http://gamutonline.net/displayPolicy/767201/3) - Personnel Files)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/3) - Student Records)

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/3) - Release of Directory Information)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 13, 2019 Dunsmuir, California

## AR  3515 - Campus Security    11/19

The Superintendent or designee shall develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings and interior spaces from outsiders and discourage trespassing

These strategies may include installing locks, requiring visitor registration, providing staff and student identification tags, and patrolling places used for congregating and loitering.

(cf. [1250](http://gamutonline.net/displayPolicy/442502/3) - Visitors/Outsiders)

(cf. [3515.2](http://gamutonline.net/displayPolicy/442590/3) - Disruptions)

(cf. [5112.5](http://gamutonline.net/displayPolicy/442967/3) - Open/Closed Campus)

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti and implement campus beautification.

(cf. [3515.4](http://gamutonline.net/displayPolicy/442594/3) - Recovery for Property Loss or Damage)

(cf. [5131.5](http://gamutonline.net/displayPolicy/443007/3) - Vandalism and Graffiti)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/3) - Positive School Climate)

(cf. [6142.4](http://gamutonline.net/displayPolicy/443108/3) - Service Learning/Community Service Classes)

4. Control access to keys and other school inventory

(cf. [3440](http://gamutonline.net/displayPolicy/442571/3) - Inventories)

5. Detect and intervene with school crime

These strategies may include creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, analyzing school crime incidents, and collaborating with local law enforcement agencies, including providing for law enforcement presence.

(cf. [3515.3](http://gamutonline.net/displayPolicy/442592/3) - District Police/Security Department)

(cf. [3515.7](http://gamutonline.net/displayPolicy/442599/3) - Firearms on School Grounds)

(cf. [3516.2](http://gamutonline.net/displayPolicy/442605/3) - Bomb Threats)

(cf. 5116.2 - Involuntary Student Transfers)

(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/3) - Bullying)

(cf. [5131.7](http://gamutonline.net/displayPolicy/443016/3) - Weapons and Dangerous Instruments)

(cf. [5141.52](http://gamutonline.net/displayPolicy/443044/3) - Suicide Prevention)

(cf. [5138](http://gamutonline.net/displayPolicy/443025/3) - Conflict Resolution/Peer Mediation)

(cf. [5145.9](http://gamutonline.net/displayPolicy/443074/3) - Hate-Motivated Behavior)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/3) - Guidance/Counseling Services)

All staff shall receive training in building and grounds security procedures and emergency response.

(cf. [4131](http://gamutonline.net/displayPolicy/910308/3) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/3) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/3) - Staff Development)

Locks

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside. (Education Code [17075.50](http://gamutonline.net/displayPolicy/1117722/3), 17583; 24 CCR 1010.1.9, 1010.1.11)

Keys

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to authorized employees who regularly need a key in order to carry out their job responsibilities.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned.

Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 13, 2019 Dunsmuir, California

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## BP  3515.2 – Disruptions 5/16

The Governing Board is committed to providing a safe and orderly environment for students, staff, and others on district property or while engaged in school activities.

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other district facility, threatens the health or safety of anyone on district property, or causes or threatens to cause damage to district property or to any property on school grounds.

(cf. [1250](http://gamutonline.net/displayPolicy/442502/3) - Visitors/Outsiders)

(cf. [3515](http://gamutonline.net/displayPolicy/442587/3) - Campus Security)

(cf. [4118](http://gamutonline.net/displayPolicy/991942/3) - Dismissal/Suspension/Disciplinary Action)

(cf. [4158](http://gamutonline.net/displayPolicy/442874/3)/[4258](http://gamutonline.net/displayPolicy/442875/3)/[4358](http://gamutonline.net/displayPolicy/442876/3) - Employee Security)

(cf. [4218](http://gamutonline.net/displayPolicy/442923/3) - Dismissal/Suspension/Disciplinary Action)

(cf. [5131.4](http://gamutonline.net/displayPolicy/443005/3) - Student Disturbances)

The Superintendent or designee shall establish a plan describing staff responsibilities and actions to be taken when an individual is causing or threatening to cause a disruption. The plan shall address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption. In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention when necessary.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/3) - Comprehensive Safety Plan)

(cf. [3515.3](http://gamutonline.net/displayPolicy/442592/3) - District Police/Security Department)

(cf. [3515.7](http://gamutonline.net/displayPolicy/442599/3) - Firearms on School Grounds)

(cf. [3516](http://gamutonline.net/displayPolicy/442602/3) - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall provide training to school staff on how to identify and respond to actions or situations that may constitute a disruption.

(cf. [4131](http://gamutonline.net/displayPolicy/910308/3) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/3) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/3) - Staff Development)

Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code [48902](http://gamutonline.net/displayPolicy/132227/3) and [20](http://gamutonline.net/displayPolicy/128834/3) USC [7151](http://gamutonline.net/displayPolicy/302783/3) and in other situations, as appropriate.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: May 11, 2016 Dunsmuir, California

## AR 3515.2 – Disruptions 5/16

The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds or school activity if:

1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property. (Education Code [44810](http://gamutonline.net/displayPolicy/130926/3), [44811](http://gamutonline.net/displayPolicy/130927/3); Penal Code [626.7](http://gamutonline.net/displayPolicy/169387/3))

2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction. (Penal Code [415.5](http://gamutonline.net/displayPolicy/169358/3))

3. The person, without lawful business for being present, loiters around a school or reenters a school within 72 hours after he/she was asked to leave. (Penal Code [653b](http://gamutonline.net/displayPolicy/420868/3))

4. The person is required to register as a sex offender pursuant to Penal Code [290](http://gamutonline.net/displayPolicy/226069/3) and does not have a lawful purpose and written permission from the principal or designee to be on school grounds. (Penal Code [626.81](http://gamutonline.net/displayPolicy/420867/3))

(cf. [1250](http://gamutonline.net/displayPolicy/442502/3) - Visitors/Outsiders)

(cf. [3515.5](http://gamutonline.net/displayPolicy/442596/3) - Sex Offender Notification)

5. The person is a specified drug offender, as defined in Penal Code [626.85](http://gamutonline.net/displayPolicy/169389/3), and does not have written permission from the principal or designee to be on school grounds. However, such specified drug offender may be on school grounds during any school activity if he/she is a student or the parent/guardian of a student attending the school. (Penal Code [626.85](http://gamutonline.net/displayPolicy/169389/3))

6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of students, staff, or others while attending, arriving at, or leaving school. (Penal Code [626.8](http://gamutonline.net/displayPolicy/169388/3))

7. The person has otherwise established a continued pattern of unauthorized entry on school grounds. (Penal Code [626.8](http://gamutonline.net/displayPolicy/169388/3))

(cf. [1240](http://gamutonline.net/displayPolicy/442500/3) - Volunteer Assistance)

(cf. [3515.3](http://gamutonline.net/displayPolicy/442592/3) - District Police/Security Department)

(cf. [4158](http://gamutonline.net/displayPolicy/442874/3)/[4258](http://gamutonline.net/displayPolicy/442875/3)/[4358](http://gamutonline.net/displayPolicy/442876/3) - Employee Security)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/3) - Athletic Competition)

The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code [626.7](http://gamutonline.net/displayPolicy/169387/3), [626.85](http://gamutonline.net/displayPolicy/169389/3))

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she: (Education Code [32211](http://gamutonline.net/displayPolicy/131120/3); Penal Code [626.7](http://gamutonline.net/displayPolicy/169387/3), [626.8](http://gamutonline.net/displayPolicy/169388/3), 636.85)

1. Fails to leave or remains after being directed to leave

2. Returns to the campus without following the school's posted registration requirements

3. Returns within seven days after being directed to leave

(cf. [0450](http://gamutonline.net/displayPolicy/442470/3) - Comprehensive Safety Plan)

Whenever an individual is causing or threatening to cause a disruption at any district facility other than a school campus, the Superintendent or designee may direct that individual to leave the facility consistent with this regulation and the accompanying Board policy.

Appeal Procedure

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code [32211](http://gamutonline.net/displayPolicy/131120/3))

The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code [32211](http://gamutonline.net/displayPolicy/131120/3))

In any circumstance where a person has been directed to leave a school building or ground where the Superintendent's or Board's office is situated, he/she may nevertheless enter the school building or ground solely for the purpose of making the appeal. (Education Code [32211](http://gamutonline.net/displayPolicy/131120/3))

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: May 11, 2016 Dunsmuir, California

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## BP  3515.5 -  Sex Offender Notification    4/7/04

In order to protect students while they are traveling to and from school, or attending school or a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency notifies the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

To protect the district and its employees from liability, employees shall disseminate sex offender information in good faith, and only in the manner and to the extent authorized by the law enforcement agency.

The Superintendent or designee may annually notify parents/guardians of the availability of the CD-ROM regarding registered sex offenders and recommend that they utilize the information contained on the disk.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/3) - Comprehensive Safety Plan)

(cf. [1240](http://gamutonline.net/displayPolicy/442500/3) - Volunteer Assistance)

(cf. [1250](http://gamutonline.net/displayPolicy/442502/3) - Visitors/Outsiders)

(cf. [1400](http://gamutonline.net/displayPolicy/442526/3) - Relations Between Other Governmental Agencies and the Schools)

(cf. [3515](http://gamutonline.net/displayPolicy/442587/3) - Campus Security)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/3) - Safety)

Role of District Police/Security Department

In accordance with law, the district police/security department may disseminate information about registered sex offenders to the school community. In order to ensure the accuracy of any information, the district police/security department shall consult with local law enforcement prior to any such dissemination.

(cf. [3515.3](http://gamutonline.net/displayPolicy/442592/3) - District Police/Security Department)

The district police/security department shall maintain records of the means and dates of dissemination for five years. (Penal Code [290.45](http://gamutonline.net/displayPolicy/315612/3))

The district police/security department may request copies of the current CD-ROM of registered sex offenders from the Department of Justice.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: April 7, 2004 Dunsmuir, California

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## AR  3515.5 - Sex Offender Notification    6/16

The Superintendent or designee shall develop a plan for receiving and communicating information about registered sex offenders residing within district boundaries. He/she shall ensure, at a minimum, that the following components are part of the plan:

1. The Superintendent or designee shall appoint a staff member to serve as liaison with law enforcement regarding these matters.

2. The Superintendent or district liaison shall, at the beginning of each school year, contact local law enforcement to coordinate the receipt of information. Law enforcement shall be informed that all notifications and correspondence should be directed to the liaison as well as the individual school sites. A letter shall be sent annually to local law enforcement, identifying the name, phone number, and address of the liaison.

3. The Superintendent or district liaison shall collaborate with law enforcement in order to alert children to the dangers of sex offenders, develop a system for distributing information about sex offenders, and train school staff and parents/guardians about the roles and responsibilities of both the district and law enforcement.

4. The Superintendent or liaison shall, at the beginning of each school year, notify parents/guardians of the district's willingness and intention to work with law enforcement on this matter and shall explain the appropriate roles and responsibilities of both the district and law enforcement.

This communication shall also explain:

a. The reporting requirements pursuant to Penal Code [290](http://gamutonline.net/displayPolicy/226069/3) and [290.45](http://gamutonline.net/displayPolicy/315612/3), including the fact that law enforcement is the agency best able to assess the relative danger of a sex offender

b. The ability of the parents/guardians to contact law enforcement for additional information and to view the information on the Megan's Law Internet website

5. When law enforcement notifies the district of the residency or employment of a sex offender within district boundaries, the Superintendent or district liaison shall consult with law enforcement about the appropriate scope of the disclosure. When authorized by law enforcement, the Superintendent or liaison may disclose information about a sex offender to the following staff:

a. The principal of the school which is in the attendance area of the sex offender's residence or place of employment

b. Teachers and classified personnel at that school, including staff responsible for visitor registration

(cf. [1250](http://gamutonline.net/displayPolicy/442502/3) - Visitors/Outsiders)

c. Principals and staff at adjacent schools, as appropriate

d. Security staff

e. Bus drivers

f. Yard supervisors

6. Any staff member who receives information directly from law enforcement regarding registered sex offenders shall immediately contact the Superintendent or liaison in order to help ensure that the district is able to respond appropriately.

7. If an identified sex offender is seen on or near school grounds or around any student, staff shall immediately contact the district liaison. A staff member may also inform local law enforcement.

Notification to Parents/Guardians

When law enforcement has determined that parents/guardians should be notified regarding the presence of a sex offender in the community, the Superintendent or district liaison shall collaborate with local law enforcement in order to determine an appropriate response. This response may include:

1. An article in a school or parent council newsletter notifying parents/guardians that law enforcement information about registered sex offenders is available at the local law enforcement agency headquarters and/or at the school office. This article shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's (DOJ) Megan's Law Internet website for additional information.

2. A mailing, at law enforcement's expense, prepared by law enforcement, and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.

3. A mailing of a letter, at district expense, prepared by law enforcement and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.

Whenever the principal has granted permission to a person who is required to register as a sex offender pursuant to Penal Code [290](http://gamutonline.net/displayPolicy/226069/3) to come into a school building or upon school grounds to volunteer at the school, he/she shall notify the parent/guardian of each student at that school, at least 14 days in advance using one of the methods specified in Education Code [48981](http://gamutonline.net/displayPolicy/132264/3), that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (Penal Code [626.81](http://gamutonline.net/displayPolicy/420867/3))

(cf. [1240](http://gamutonline.net/displayPolicy/442500/3) - Volunteer Assistance)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/3) - Parental Notifications)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: June 8, 2016 Dunsmuir, California

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# Staff

## BP  4112.2 - Certification    4/15/20

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught.  The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.  
  
The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.  
  
**Priorities for Hiring Based on Unavailability of Credentialed Teacher**  
  
The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order:  (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC  
     
   The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position.  (5 CCR 80021.1)
3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda.  (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)  
  
The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment.  Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need.  (5 CCR 80026)  
  
Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.  
  
**National Board for Professional Teaching Standards Certification**  
  
The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.  
  
With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students
3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

**Parental Notifications**  
  
At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher:  (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned.  (20 USC 6312)

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## BP  4119.21  - Professional Standards    1/18

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

(cf. [0200](http://gamutonline.net/displayPolicy/944030/4) - Goals for the School District)

(cf. [4119.1](http://gamutonline.net/displayPolicy/767208/4)/[4219.1](http://gamutonline.net/displayPolicy/767209/4)/[4319.1](http://gamutonline.net/displayPolicy/767210/4) - Civil and Legal Rights)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/4) - Conduct)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/4) - Positive School Climate)

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

(cf. [2111](http://gamutonline.net/displayPolicy/442531/4) - Superintendent Governance Standards)

(cf. [9005](http://gamutonline.net/displayPolicy/443279/4) - Governance Standards)

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

(cf. [4112.2](http://gamutonline.net/displayPolicy/442653/4) - Certification)

(cf. [4131](http://gamutonline.net/displayPolicy/910308/4) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/4) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/4) - Staff Development)

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. [0450](http://gamutonline.net/displayPolicy/442470/4) - Comprehensive Safety Plan)

(cf. [3515.7](http://gamutonline.net/displayPolicy/442599/4) - Firearms on School Grounds)

(cf. [4158](http://gamutonline.net/displayPolicy/442874/4)/[4258](http://gamutonline.net/displayPolicy/442875/4)/[4358](http://gamutonline.net/displayPolicy/442876/4) - Employee Security)

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

(cf. [0410](http://gamutonline.net/displayPolicy/442456/4) - Nondiscrimination in District Programs and Activities)

(cf. [4119.11](http://gamutonline.net/displayPolicy/442752/4)/[4219.11](http://gamutonline.net/displayPolicy/442753/4)/[4319.11](http://gamutonline.net/displayPolicy/442754/4) - Sexual Harassment)

(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/4) - Bullying)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/4) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/4) - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

(cf. [3515.2](http://gamutonline.net/displayPolicy/442590/4) - Disruptions)

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

(cf. [3513.3](http://gamutonline.net/displayPolicy/944035/4) - Tobacco-Free Schools)

(cf. [3513.4](http://gamutonline.net/displayPolicy/1060949/4) - Drug and Alcohol Free Schools)

(cf. [4020](http://gamutonline.net/displayPolicy/442632/4) - Drug and Alcohol-Free Workplace)

(cf. [4112.41](http://gamutonline.net/displayPolicy/442675/4)/[4212.41](http://gamutonline.net/displayPolicy/442676/4)/[4312.41](http://gamutonline.net/displayPolicy/442677/4) - Employee Drug Testing)

(cf. [4112.42](http://gamutonline.net/displayPolicy/442681/4)/[4212.42](http://gamutonline.net/displayPolicy/442682/4)/[4312.42](http://gamutonline.net/displayPolicy/442683/4) - Drug and Alcohol Testing for School Bus Drivers)

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

(cf. [3580](http://gamutonline.net/displayPolicy/442628/4) - District Records)

(cf. [4119.23](http://gamutonline.net/displayPolicy/442768/4)/[4219.23](http://gamutonline.net/displayPolicy/442769/4)/[4319.23](http://gamutonline.net/displayPolicy/442770/4) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/4) - Student Records)

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/4) - Release of Directory Information)

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

(cf. [4119.25](http://gamutonline.net/displayPolicy/442771/4)/[4219.25](http://gamutonline.net/displayPolicy/442772/4)/[4319.25](http://gamutonline.net/displayPolicy/442773/4) - Political Activities of Employees)

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. [4040](http://gamutonline.net/displayPolicy/442638/4) - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

(cf. [4119.22](http://gamutonline.net/displayPolicy/442765/4)/[4219.22](http://gamutonline.net/displayPolicy/442766/4)/[4319.22](http://gamutonline.net/displayPolicy/442767/4) - Dress and Grooming)

Reports of Misconduct

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

(cf. [1312.1](http://gamutonline.net/displayPolicy/442505/4) - Complaints Concerning District Employees)

(cf. [5141.4](http://gamutonline.net/displayPolicy/991956/4) - Child Abuse Prevention and Reporting)

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. [4117.7](http://gamutonline.net/displayPolicy/944041/4)/[4317.7](http://gamutonline.net/displayPolicy/944042/4) - Employment Status Reports)

(cf. [4118](http://gamutonline.net/displayPolicy/991942/4) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](http://gamutonline.net/displayPolicy/442923/4) - Dismissal/Suspension/Disciplinary Action)

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

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

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code [44050](http://gamutonline.net/displayPolicy/1094080/4))

(cf. [1113](http://gamutonline.net/displayPolicy/442491/4) - District and School Web Sites)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/4) - Parental Notifications)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: January 17, 2018 Dunsmuir, California

## BP  4219.21  - Professional Standards    1/18

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

(cf. [0200](http://gamutonline.net/displayPolicy/944030/4) - Goals for the School District)

(cf. [4119.1](http://gamutonline.net/displayPolicy/767208/4)/[4219.1](http://gamutonline.net/displayPolicy/767209/4)/[4319.1](http://gamutonline.net/displayPolicy/767210/4) - Civil and Legal Rights)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/4) - Conduct)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/4) - Positive School Climate)

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

(cf. [2111](http://gamutonline.net/displayPolicy/442531/4) - Superintendent Governance Standards)

(cf. [9005](http://gamutonline.net/displayPolicy/443279/4) - Governance Standards)

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

(cf. [4112.2](http://gamutonline.net/displayPolicy/442653/4) - Certification)

(cf. [4131](http://gamutonline.net/displayPolicy/910308/4) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/4) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/4) - Staff Development)

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. [0450](http://gamutonline.net/displayPolicy/442470/4) - Comprehensive Safety Plan)

(cf. [3515.7](http://gamutonline.net/displayPolicy/442599/4) - Firearms on School Grounds)

(cf. [4158](http://gamutonline.net/displayPolicy/442874/4)/[4258](http://gamutonline.net/displayPolicy/442875/4)/[4358](http://gamutonline.net/displayPolicy/442876/4) - Employee Security)

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

(cf. [0410](http://gamutonline.net/displayPolicy/442456/4) - Nondiscrimination in District Programs and Activities)

(cf. [4119.11](http://gamutonline.net/displayPolicy/442752/4)/[4219.11](http://gamutonline.net/displayPolicy/442753/4)/[4319.11](http://gamutonline.net/displayPolicy/442754/4) - Sexual Harassment)

(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/4) - Bullying)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/4) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/4) - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

(cf. [3515.2](http://gamutonline.net/displayPolicy/442590/4) - Disruptions)

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

(cf. [3513.3](http://gamutonline.net/displayPolicy/944035/4) - Tobacco-Free Schools)

(cf. [3513.4](http://gamutonline.net/displayPolicy/1060949/4) - Drug and Alcohol Free Schools)

(cf. [4020](http://gamutonline.net/displayPolicy/442632/4) - Drug and Alcohol-Free Workplace)

(cf. [4112.41](http://gamutonline.net/displayPolicy/442675/4)/[4212.41](http://gamutonline.net/displayPolicy/442676/4)/[4312.41](http://gamutonline.net/displayPolicy/442677/4) - Employee Drug Testing)

(cf. [4112.42](http://gamutonline.net/displayPolicy/442681/4)/[4212.42](http://gamutonline.net/displayPolicy/442682/4)/[4312.42](http://gamutonline.net/displayPolicy/442683/4) - Drug and Alcohol Testing for School Bus Drivers)

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

(cf. [3580](http://gamutonline.net/displayPolicy/442628/4) - District Records)

(cf. [4119.23](http://gamutonline.net/displayPolicy/442768/4)/[4219.23](http://gamutonline.net/displayPolicy/442769/4)/[4319.23](http://gamutonline.net/displayPolicy/442770/4) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/4) - Student Records)

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/4) - Release of Directory Information)

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

(cf. [4119.25](http://gamutonline.net/displayPolicy/442771/4)/[4219.25](http://gamutonline.net/displayPolicy/442772/4)/[4319.25](http://gamutonline.net/displayPolicy/442773/4) - Political Activities of Employees)

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. [4040](http://gamutonline.net/displayPolicy/442638/4) - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

(cf. [4119.22](http://gamutonline.net/displayPolicy/442765/4)/[4219.22](http://gamutonline.net/displayPolicy/442766/4)/[4319.22](http://gamutonline.net/displayPolicy/442767/4) - Dress and Grooming)

Reports of Misconduct

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

(cf. [1312.1](http://gamutonline.net/displayPolicy/442505/4) - Complaints Concerning District Employees)

(cf. [5141.4](http://gamutonline.net/displayPolicy/991956/4) - Child Abuse Prevention and Reporting)

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. [4117.7](http://gamutonline.net/displayPolicy/944041/4)/[4317.7](http://gamutonline.net/displayPolicy/944042/4) - Employment Status Reports)

(cf. [4118](http://gamutonline.net/displayPolicy/991942/4) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](http://gamutonline.net/displayPolicy/442923/4) - Dismissal/Suspension/Disciplinary Action)

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

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

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code [44050](http://gamutonline.net/displayPolicy/1094080/4))

(cf. [1113](http://gamutonline.net/displayPolicy/442491/4) - District and School Web Sites)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/4) - Parental Notifications)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: January 17, 2018 Dunsmuir, California

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## AR  4222  - Teacher Aides/Paraprofessionals    8/16

Qualifications

No person shall be initially assigned to assist in instruction as a paraprofessional unless he/she has demonstrated proficiency in reading, writing, and mathematics skills up to or exceeding that required for local high school seniors pursuant to Education Code [51220](http://gamutonline.net/displayPolicy/132666/4)(a) and (f). (Education Code [45330](http://gamutonline.net/displayPolicy/288554/4), [45344.5](http://gamutonline.net/displayPolicy/131920/4), [45361.5](http://gamutonline.net/displayPolicy/131937/4))

A paraprofessional who has passed a proficiency test in another district and was employed in the same capacity shall be considered to have met the district's proficiency standards, unless the district determines that the other district's test is not comparable. (Education Code [45344.5](http://gamutonline.net/displayPolicy/131920/4), [45361.5](http://gamutonline.net/displayPolicy/131937/4))

Duties

A paraprofessional shall perform only such duties as, in the judgment of the certificated personnel to whom the paraprofessional is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code [45330](http://gamutonline.net/displayPolicy/288554/4))

(cf. [4112.2](http://gamutonline.net/displayPolicy/442653/4) - Certification)

(cf. [5121](http://gamutonline.net/displayPolicy/442984/4) - Grades/Evaluation of Student Achievement)

(cf. [6171](http://gamutonline.net/displayPolicy/443219/4) - Title I Programs)

Instructional aides need not perform their duties only in the physical presence of the teacher, but the teacher shall retain responsibility for the instruction and supervision of the students in his/her charge. (Education Code [45344](http://gamutonline.net/displayPolicy/131919/4))

Parental Notification

At the beginning of each school year, parents/guardians shall be notified that they may request information regarding whether their child is provided services by a paraprofessional and, if so, the paraprofessional's qualifications. (20 USC [6312](http://gamutonline.net/displayPolicy/190143/4))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/4) - Parental Notifications)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: August 10, 2016 Dunsmuir, California

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## BP  4319.21  - Professional Standards    1/18

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

(cf. [0200](http://gamutonline.net/displayPolicy/944030/4) - Goals for the School District)

(cf. [4119.1](http://gamutonline.net/displayPolicy/767208/4)/[4219.1](http://gamutonline.net/displayPolicy/767209/4)/[4319.1](http://gamutonline.net/displayPolicy/767210/4) - Civil and Legal Rights)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/4) - Conduct)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/4) - Positive School Climate)

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

(cf. [2111](http://gamutonline.net/displayPolicy/442531/4) - Superintendent Governance Standards)

(cf. [9005](http://gamutonline.net/displayPolicy/443279/4) - Governance Standards)

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

(cf. [4112.2](http://gamutonline.net/displayPolicy/442653/4) - Certification)

(cf. [4131](http://gamutonline.net/displayPolicy/910308/4) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/4) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/4) - Staff Development)

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. [0450](http://gamutonline.net/displayPolicy/442470/4) - Comprehensive Safety Plan)

(cf. [3515.7](http://gamutonline.net/displayPolicy/442599/4) - Firearms on School Grounds)

(cf. [4158](http://gamutonline.net/displayPolicy/442874/4)/[4258](http://gamutonline.net/displayPolicy/442875/4)/[4358](http://gamutonline.net/displayPolicy/442876/4) - Employee Security)

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

(cf. [0410](http://gamutonline.net/displayPolicy/442456/4) - Nondiscrimination in District Programs and Activities)

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(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/4) - Bullying)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/4) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/4) - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

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8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

(cf. [3513.3](http://gamutonline.net/displayPolicy/944035/4) - Tobacco-Free Schools)

(cf. [3513.4](http://gamutonline.net/displayPolicy/1060949/4) - Drug and Alcohol Free Schools)

(cf. [4020](http://gamutonline.net/displayPolicy/442632/4) - Drug and Alcohol-Free Workplace)

(cf. [4112.41](http://gamutonline.net/displayPolicy/442675/4)/[4212.41](http://gamutonline.net/displayPolicy/442676/4)/[4312.41](http://gamutonline.net/displayPolicy/442677/4) - Employee Drug Testing)

(cf. [4112.42](http://gamutonline.net/displayPolicy/442681/4)/[4212.42](http://gamutonline.net/displayPolicy/442682/4)/[4312.42](http://gamutonline.net/displayPolicy/442683/4) - Drug and Alcohol Testing for School Bus Drivers)

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10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

(cf. [3580](http://gamutonline.net/displayPolicy/442628/4) - District Records)

(cf. [4119.23](http://gamutonline.net/displayPolicy/442768/4)/[4219.23](http://gamutonline.net/displayPolicy/442769/4)/[4319.23](http://gamutonline.net/displayPolicy/442770/4) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/4) - Student Records)

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(cf. [4040](http://gamutonline.net/displayPolicy/442638/4) - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

(cf. [4119.22](http://gamutonline.net/displayPolicy/442765/4)/[4219.22](http://gamutonline.net/displayPolicy/442766/4)/[4319.22](http://gamutonline.net/displayPolicy/442767/4) - Dress and Grooming)

Reports of Misconduct

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(cf. [1312.1](http://gamutonline.net/displayPolicy/442505/4) - Complaints Concerning District Employees)

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(cf. [4117.7](http://gamutonline.net/displayPolicy/944041/4)/[4317.7](http://gamutonline.net/displayPolicy/944042/4) - Employment Status Reports)

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(cf. [1113](http://gamutonline.net/displayPolicy/442491/4) - District and School Web Sites)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/4) - Parental Notifications)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: January 17, 2018 Dunsmuir, California

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# Parents

## BP  5020 -  Parent Rights And Responsibilities   3/08

The Governing Board recognizes that parents/guardians of district students have certain rights as well as responsibilities related to the education of their children.

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

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

Parents/guardians shall have the opportunity to work with schools in a mutually supportive and respectful partnership and to help their children succeed in school. (Education Code [51100](http://gamutonline.net/displayPolicy/138106/5))

(cf. [5022](http://gamutonline.net/displayPolicy/442949/5) - Student and Family Privacy Rights)

(cf. [6020](http://gamutonline.net/displayPolicy/443084/5) - Parent Involvement)

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

(cf. [4131](http://gamutonline.net/displayPolicy/910308/5) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/5) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/5) - Staff Development)

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

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

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

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: March 18, 2008 Dunsmuir, California

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## AR  5020  - Parent/Guardian Rights 3/15

The rights of parents/guardians of district students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled or for the purpose of selecting the school in which their child will be enrolled (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

Parents/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Board policy and administrative regulations. (Education Code [49091.10](http://gamutonline.net/displayPolicy/138136/5))

(cf. [6116](http://gamutonline.net/displayPolicy/443094/5) - Classroom Interruptions)

2. To meet, within a reasonable time of their request, with their child's teacher(s) and the principal (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

3. Under the supervision of district employees, to volunteer their time and resources for the improvement of school facilities and school programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

4. To be notified on a timely basis if their child is absent from school without permission (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [5113](http://gamutonline.net/displayPolicy/442969/5) - Absences and Excuses)

5. To receive the results of their child's performance and the school's performance on standardized tests and statewide tests (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

For parents/guardians of English learners, this right shall include the right to receive the results of their child's performance on the English language development test. (Education Code [51101.1](http://gamutonline.net/displayPolicy/288559/5))

(cf. [0500](http://gamutonline.net/displayPolicy/442472/5) - Accountability)

(cf. [0510](http://gamutonline.net/displayPolicy/442473/5) - School Accountability Report Card)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/5) - Standardized Testing and Reporting Program)

(cf. [6162.52](http://gamutonline.net/displayPolicy/443189/5) - High School Exit Examination)

(cf. [6174](http://gamutonline.net/displayPolicy/443227/5) - Education for English Language Learners)

6. To request a particular school for their child and to receive a response from the district (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [5116.1](http://gamutonline.net/displayPolicy/442974/5) - Intradistrict Open Enrollment)

(cf. [5117](http://gamutonline.net/displayPolicy/767228/5) - Interdistrict Attendance)

7. To have a school environment for their child that is safe and supportive of learning (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [0450](http://gamutonline.net/displayPolicy/442470/5) - Comprehensive Safety Plan)

(cf. [3515](http://gamutonline.net/displayPolicy/442587/5) - Campus Security)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/5) - Conduct)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/5) - Positive School Climate)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/5) - Safety)

8. To examine the curriculum materials of the class(es) in which their child is enrolled (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5); 20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments stored by the classroom teacher, including textbooks, teacher's manuals, films, audio and video recordings, and software. (Education Code [49091.10](http://gamutonline.net/displayPolicy/138136/5))

Each school site shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course. (Education Code [49091.14](http://gamutonline.net/displayPolicy/138138/5))

The school may charge an amount not to exceed the cost of duplication. (Education Code [49091.14](http://gamutonline.net/displayPolicy/138138/5))

(cf. [1312.2](http://gamutonline.net/displayPolicy/442507/5) - Complaints Concerning Instructional Materials)

(cf. [1312.4](http://gamutonline.net/displayPolicy/442513/5) - Williams Uniform Complaint Procedures)

(cf. [6141](http://gamutonline.net/displayPolicy/443096/5) - Curriculum Development and Evaluation)

(cf. [6142.1](http://gamutonline.net/displayPolicy/443102/5) - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. [6161.1](http://gamutonline.net/displayPolicy/443179/5) - Selection and Evaluation of Instructional Materials)

(cf. [6161.11](http://gamutonline.net/displayPolicy/443181/5) - Supplementary Instructional Materials)

9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [5121](http://gamutonline.net/displayPolicy/442984/5) - Grades/Evaluation of Student Achievement)

(cf. 5124 - Communication with Parents/Guardians)

10. For parents/guardians of English learners, to support their child's advancement toward literacy (Education Code [51101.1](http://gamutonline.net/displayPolicy/288559/5))

The Superintendent or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code [60510](http://gamutonline.net/displayPolicy/133895/5). (Education Code [51101.1](http://gamutonline.net/displayPolicy/288559/5))

(cf. [3270](http://gamutonline.net/displayPolicy/442550/5) - Sale and Disposal of Books, Equipment and Supplies)

11. For parents/guardians of English learners, to be informed, through the school accountability report card, about statewide and local academic standards, testing programs, accountability measures and school improvement efforts (Education Code [51101.1](http://gamutonline.net/displayPolicy/288559/5))

(cf. [0520.2](http://gamutonline.net/displayPolicy/442479/5) - Title I Program Improvement Schools)

(cf. [0520.3](http://gamutonline.net/displayPolicy/528570/5) - Title I Program Improvement Districts)

12. To have access to the school records of their child (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/5) - Release of Directory Information)

13. To receive information concerning the academic performance standards, proficiencies or skills their child is expected to accomplish (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [6011](http://gamutonline.net/displayPolicy/443083/5) - Academic Standards)

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/5) - High School Graduation Requirements)

(cf. [6146.4](http://gamutonline.net/displayPolicy/443148/5) - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. [6146.5](http://gamutonline.net/displayPolicy/443149/5) - Elementary/Middle School Graduation Requirements)

14. To be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code [48980](http://gamutonline.net/displayPolicy/226041/5), attendance policies, dress codes and procedures for visiting the school (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [1250](http://gamutonline.net/displayPolicy/442502/5) - Visitors/Outsiders)

(cf. [5132](http://gamutonline.net/displayPolicy/443019/5) - Dress and Grooming)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/5) - Discipline)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

15. To be notified, as early in the school year as practicable pursuant to Education Code [48070.5](http://gamutonline.net/displayPolicy/138070/5), if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal such a decision (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [5123](http://gamutonline.net/displayPolicy/910311/5) - Promotion/Acceleration/Retention)

16. To receive information about any psychological testing the school does involving their child and to deny permission to give the test (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/5) - Guidance/Counseling Services)

(cf. [6164.4](http://gamutonline.net/displayPolicy/443211/5) - Identification of Individuals for Special Education)

(cf. [6164.6](http://gamutonline.net/displayPolicy/443217/5) - Identification and Education Under Section 504)

17. To refuse to submit or to participate in any assessment, analysis, evaluation or monitoring of the quality or character of the student's home life, any form of parental screening or testing, any nonacademic home-based counseling program, parent training, or any prescribed family education service plan and to inspect any survey collecting personal information (Education Code [49091.18](http://gamutonline.net/displayPolicy/138140/5); 20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

(cf. [5022](http://gamutonline.net/displayPolicy/442949/5) - Student and Family Privacy Rights)

18. To participate as a member of a parent advisory committee, school site council or site-based management leadership team in accordance with any rules and regulations governing membership in these organizations (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

For parents/guardians of English learners, this right shall include the right to participate in school and district advisory bodies in accordance with federal and state law and regulations. (Education Code [51101.1](http://gamutonline.net/displayPolicy/288559/5))

(cf. [0420](http://gamutonline.net/displayPolicy/442457/5) - School Plans/Site Councils)

(cf. 0420.5 - School-Based Decision Making)

(cf. [1220](http://gamutonline.net/displayPolicy/442496/5) - Citizen Advisory Committees)

(cf. [6171](http://gamutonline.net/displayPolicy/443219/5) - Title I Programs)

(cf. [6175](http://gamutonline.net/displayPolicy/443230/5) - Migrant Education Program)

19. To question anything in their child's record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

(cf. [5125.3](http://gamutonline.net/displayPolicy/442996/5) - Challenging Student Records)

20. To provide informed, written parental consent before their child is tested for a behavioral, mental or emotional evaluation. A general consent, including medical consent used to approve admission to or involvement in a special education or remedial program or regular school activity, shall not constitute written consent for these purposes. (Education Code [49091.12](http://gamutonline.net/displayPolicy/138137/5))

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [5141.3](http://gamutonline.net/displayPolicy/443035/5) - Health Examinations)

Parent Responsibilities

Parents/guardians may support the learning environment of their child by: (Education Code [51101](http://gamutonline.net/displayPolicy/138107/5))

1. Monitoring attendance of their child

2. Ensuring that homework is completed and turned in on time

(cf. [6154](http://gamutonline.net/displayPolicy/443162/5) - Homework/Makeup Work)

3. Encouraging their child to participate in extracurricular and cocurricular activities

(cf. [6145](http://gamutonline.net/displayPolicy/443124/5) - Extracurricular and Cocurricular Activities)

4. Monitoring and regulating the television viewed by their child

5. Working with their child at home in learning activities that extend the classroom learning

6. Volunteering in their child's classroom(s) or for other school activities

(cf. [1240](http://gamutonline.net/displayPolicy/442500/5) - Volunteer Assistance)

7. Participating in decisions related to the education of their own child or the total school program as appropriate

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: March 18, 2008 Dunsmuir, California

revised: March 11, 2015

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## BP  5022  - Student And Family Privacy Rights    4/18

The Governing Board respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information.

(cf. [5020](http://gamutonline.net/displayPolicy/442946/5) - Parent Rights and Responsibilities)

(cf. [5021](http://gamutonline.net/displayPolicy/442948/5) - Noncustodial Parents)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/5) - Release of Directory Information)

(cf. [6162.8](http://gamutonline.net/displayPolicy/443198/5) - Research)

The Superintendent or designee may collect, disclose, or use students' personal information for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following: (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

1. College or other postsecondary education recruitment or military recruitment

2. Book clubs, magazines, and programs providing access to low-cost literary products

3. Curriculum and instructional materials used by elementary and secondary schools

4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/5) - Student Assessment)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/5) - State Academic Achievement Tests)

5. The sale by students of products or services to raise funds for school-related or education-related activities

(cf. [1321](http://gamutonline.net/displayPolicy/442516/5) - Solicitation of Funds from and by Students)

6. Student recognition programs

(cf. [5126](http://gamutonline.net/displayPolicy/442997/5) - Awards for Achievement)

The Superintendent or designee is prohibited from collecting, disclosing, or using a student's individually identifiable information, including his/her name, parent/guardian's name, home or other physical address, telephone number, or social security number, for the purpose of marketing or selling that information or providing the information to others for that purpose.

However, the district shall not use surveys to collect social security numbers or the last four digits of social security numbers, or information or documents regarding citizenship or immigration status, of students or their families. (Education Code [234.7](http://gamutonline.net/displayPolicy/1094077/5), [49076.7](http://gamutonline.net/displayPolicy/1070226/5))

The Superintendent or designee shall consult with parents/guardians regarding the development of regulations pertaining to other uses of personal information, which shall, at a minimum, address the following: (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

1. Arrangements for protecting student privacy when collecting, disclosing, or using students' individually identifiable information for any purpose

2. Arrangements to protect student privacy in the administration of surveys that may request information about the personal beliefs and practices of students and their families

3. The rights of parents/guardians to inspect the following, and any applicable procedures for granting reasonable access to the following in a reasonable period of time:

a. Survey instruments requesting information about their personal beliefs and practices or those of their children

b. Instructional materials used as part of their children's educational curriculum

c. Instruments used in the collection of personal information for the purpose of marketing or sale

4. Any nonemergency physical examinations or screenings that the school may administer

(cf. [0420](http://gamutonline.net/displayPolicy/442457/5) - School Plans/Site Councils)

(cf. [1220](http://gamutonline.net/displayPolicy/442496/5) - Citizen Advisory Committee)

(cf. [1230](http://gamutonline.net/displayPolicy/442498/5) - School-Connected Organizations)

The Superintendent or designee shall notify parents/guardians of the adoption or continued use of the district's policy pertaining to the rights specified in items #1-4 above. (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: April 18, 2018 Dunsmuir, California

## AR  5022  Student And Family Privacy Rights    4/18

Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian, or a student who is an adult or emancipated minor, shall provide prior written consent before the student is required to participate in a survey inquiring about one or more of the following: (Education Code [51513](http://gamutonline.net/displayPolicy/132725/5); 20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

1. Political affiliations or beliefs of the student or his/her parent/guardian

2. Mental or psychological problems of the student or his/her family

3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality

4. Illegal, anti-social, self-incriminating, or demeaning behavior

5. Critical appraisals of other individuals with whom the student has close family relationships

6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers

7. Religious practices, affiliations, or beliefs of the student or his/her parent/guardian

8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

(cf. [3553](http://gamutonline.net/displayPolicy/442624/5) - Free and Reduced Price Meals)

(cf. [5148](http://gamutonline.net/displayPolicy/443078/5) - Child Care and Development)

If a student participates in such a survey requesting information about personal beliefs and practices, school officials and staff members shall not request or disclose the student's identity.

(cf. [6162.8](http://gamutonline.net/displayPolicy/443198/5) - Research)

Notwithstanding the above requirements for prior written consent, the district may administer to students in grades 7-12 anonymous, voluntary, and confidential research and evaluation tools to measure student health risks and behaviors, including tests and surveys about student attitudes or practices related to sex as long as parents/guardians are provided written notice and given an opportunity to request, in writing, that their child not participate. (Education Code [51938](http://gamutonline.net/displayPolicy/315609/5))

If the district administers a voluntary survey that already includes questions pertaining to sexual orientation and/or gender identity, the Superintendent or designee shall not remove such questions. (Education Code [51514](http://gamutonline.net/displayPolicy/1096608/5))

Parent/Guardian Access to Surveys and Instructional Materials

The parent/guardian of any district student, upon his/her request, shall have the right to inspect: (Education Code [51938](http://gamutonline.net/displayPolicy/315609/5); 20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

1. A survey or other instrument to be administered or distributed to his/her child that either collects personal information for marketing or sale or requests information about beliefs and practices

2. Any instructional material to be used as part of his/her child's educational curriculum

(cf. [5020](http://gamutonline.net/displayPolicy/442946/5) - Parent Rights and Responsibilities)

Within a reasonable period of time after receiving a parent/guardian's request, the principal or designee shall permit the parent/guardian to view the survey or other document he/she requested. A parent/guardian may view the document any time during normal business hours.

(cf. [1340](http://gamutonline.net/displayPolicy/442524/5) - Access to District Records)

No student shall be subject to penalty for his/her parent/guardian's exercise of any of the rights stated above.

Health Examinations

Authorized school officials may administer to any student any physical examination or screening permitted under California law. However, no student shall be subjected to a nonemergency, invasive physical examination without prior written notice to his/her parent/guardian, unless an applicable state law authorizes the student to provide consent without parent/guardian notification. (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a properly authorized hearing, vision, or scoliosis screening. (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

(cf. [5131.61](http://gamutonline.net/displayPolicy/443010/5) - Drug Testing)

(cf. [5141.21](http://gamutonline.net/displayPolicy/910313/5) - Administering Medication and Monitoring Health Conditions)

(cf. [5141.3](http://gamutonline.net/displayPolicy/443035/5) - Health Examinations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/5) - School Health Services)

Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

1. The district's policy regarding student privacy

2. The process to opt their children out of participation in any activity described in this administrative regulation and the accompanying Board policy

3. The specific or approximate dates during the school year when the following activities are scheduled:

a. Survey requesting personal information

b. Physical examinations or screenings

c. Collection of personal information from students for marketing or sale

Prior to administering any anonymous and voluntary survey regarding health risks and behaviors to students in grades 7-12, the district shall provide parents/guardians with written notice that the survey is to be administered. (Education Code [51938](http://gamutonline.net/displayPolicy/315609/5))

Parents/guardians shall also be notified of any substantive change to this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC [1232h](http://gamutonline.net/displayPolicy/241100/5))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: April 18, 2018 Dunsmuir, California

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## BP 5030(a) - Student Wellness 6/13

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

*(cf. 1020 - Youth Services)*

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 3514 - Environmental Safety)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*

*(cf. 6164.2 - Guidance/Counseling Services)*

**School Health Council/Committee**

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

To fulfill this requirement, the Superintendent or designee may appoint a school health council or other district committee whose membership shall include representatives of these groups. He/she also may invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 9140 - Board Representatives)*

The school health council/committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

**Goals for Nutrition, Physical Activity, and Other Wellness Activities**

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

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

*(cf. 6011 - Academic Standards)*

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6177 - Summer Learning Programs)*

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

*(cf. 1325 - Advertising and Promotion)*

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

*(cf. 5142.2 - Safe Routes to School Program)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

*(cf. 1330.1 - Joint Use Agreements)*

Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6020 - Parent Involvement)*

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

**Nutritional Guidelines for Foods Available at School**

For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3552 - Summer Meal Program)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

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

*(cf. 3312 - Contracts)*

*(cf. 3554 - Other Food Sales)*

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

*(cf. 1230 - School-Connected Organizations)*

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

**Program Implementation and Evaluation**

The Superintendent shall designate one or more district or school employees, as appropriate, to ensure that each school site complies with this policy. (42 USC 1758b)

*(cf. 0500 - Accountability)*

*(cf. 3555 - Nutrition Program Compliance)*

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every two years.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements

2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records

3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program

4. Extent to which foods sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards

5. Results of the state's physical fitness test at applicable grade levels

6. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity

7. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program

8. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)

In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

**Posting Requirements**

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

Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

Policy **DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT**

adopted: June 27, 2013 Dunsmuir, California

## AR 5030 - Student Wellness 11/11

Wellness Policy Implementation and Evaluation

In accordance with law, Dunsmuir Joint Union High School District adopted a wellness policy in 2006. The implementation of this policy will begin November 1, 2011.

School and community awareness efforts will include publication on the district website and an informational letter mailed home to parents/guardians. Even though this policy was created through a collaborative effort of all certificated staff, the district will also conducted an informational in-service to acquaint staff with the completed policy.

Students will be informed about healthy eating habits and the importance of physical activity through lessons taught in physical education, science and Culinary Arts.

The DHS certificated staff, which functioned as a Committee of the Whole for this project, will report on the effectiveness of the District Wellness Policy to the Governing Board at regular intervals.

The Superintendent/Principal will ensure compliance with established school and district nutrition, physical activity and wellness policies. The District Food Service Director will implement all wellness policies in the district breakfast and lunch programs. The physical education instructor will follow all district and state guidelines in the area of physical activity. Both the Food Service Director and PE instructor will report on overall compliance to the Superintendent/Principal. In addition, any changes resulting from a USDA School Meals Initiative review will be reported to the Board.

Assessments of the district's wellness policies will be conducted every three years to determine effectiveness of District Wellness Policies. The Food Service Director, Con App Coordinator, Physical Education instructor and Superintendent/Principal will propose policy revisions to the Wellness Committee for staff approval. Following receiving final approval from the committee, changes will be submitted to the Board for final approval.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 1, 2011 Dunsmuir, California

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## BP  5111.1  - District Residency    6/18

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. [5116](http://gamutonline.net/displayPolicy/442973/5) - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code [48980](http://gamutonline.net/displayPolicy/226041/5))

(cf. [5116.1](http://gamutonline.net/displayPolicy/442974/5) - Intradistrict Open Enrollment)

(cf. [5117](http://gamutonline.net/displayPolicy/767228/5) - Interdistrict Attendance)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR [432](http://gamutonline.net/displayPolicy/186827/5))

(cf. [5111](http://gamutonline.net/displayPolicy/442954/5) - Admission)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

When establishing students' residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.

(cf. [5145.13](http://gamutonline.net/displayPolicy/1110972/5) - Response to Immigration Enforcement)

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code [48204.1](http://gamutonline.net/displayPolicy/721531/5), [48204.2](http://gamutonline.net/displayPolicy/1020552/5))

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code [48204.2](http://gamutonline.net/displayPolicy/1020552/5))

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code [48204.2](http://gamutonline.net/displayPolicy/1020552/5))

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code [48204.2](http://gamutonline.net/displayPolicy/1020552/5))

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code [48204.2](http://gamutonline.net/displayPolicy/1020552/5))

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code [48204.2](http://gamutonline.net/displayPolicy/1020552/5))

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal of the Superintendent's determination that district residency requirements were not met, the Board shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision at its next regularly scheduled meeting following the parent/guardian's request for the appeal. The Board's decision shall be final.

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international exchange program under the sponsorship of a government-approved agency.

(cf. [5111.2](http://gamutonline.net/displayPolicy/442961/5) - Nonresident Foreign Students)

(cf. [6145.6](http://gamutonline.net/displayPolicy/443135/5) - International Exchange)

The district may enroll a nonresident student living in an adjoining state or foreign country in accordance with Education Code [48050](http://gamutonline.net/displayPolicy/132062/5)-[48052](http://gamutonline.net/displayPolicy/132064/5).

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code [52317](http://gamutonline.net/displayPolicy/132931/5))

(cf. [6178.2](http://gamutonline.net/displayPolicy/513060/5) - Regional Occupational Center/Program)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: June 13, 2018 Dunsmuir, California

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## AR  5112.2 - Exclusions From Attendance   11/15

The Superintendent or designee shall ensure that each child entering a district school at any grade level adheres to district admission requirements and enrollment procedures.

(cf. [5111](http://gamutonline.net/displayPolicy/442954/5) - Admission)

(cf. [5111.1](http://gamutonline.net/displayPolicy/442956/5) - District Residency)

(cf. [5116](http://gamutonline.net/displayPolicy/442973/5) - Intradistrict Open Enrollment)

(cf. [5117](http://gamutonline.net/displayPolicy/767228/5) - Interdistrict Attendance)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

(cf. [5141.3](http://gamutonline.net/displayPolicy/443035/5) - Health Examinations)

Mandatory Exclusions

The Superintendent or designee shall not unconditionally admit any student to an elementary or secondary school, preschool, or child care and development program for the first time, nor, after July 1, 2016, admit or advance any student to grade 7 unless the student has been fully immunized in accordance with Health and Safety Code [120335](http://gamutonline.net/displayPolicy/150209/5) and BP/AR 5141.31 - Immunizations or is exempted by law.

If a conditionally admitted student has not received required immunizations within 10 days after his/her parent/guardian has been notified of the need to do so, the student shall be excluded until he/she provides written evidence that he/she has received the vaccines due at that time. (Education Code [48216](http://gamutonline.net/displayPolicy/136108/5); Health and Safety Code [120335](http://gamutonline.net/displayPolicy/150209/5), [120370](http://gamutonline.net/displayPolicy/149804/5); 17 CCR [6055](http://gamutonline.net/displayPolicy/368351/5))

(cf. [5141.31](http://gamutonline.net/displayPolicy/443037/5) - Immunizations)

(cf. [5141.22](http://gamutonline.net/displayPolicy/443031/5) - Infectious Diseases)

The Superintendent or designee shall not admit a student who is reasonably suspected of having active tuberculosis. He/she shall be denied admission until the local health officer or licensed medical practitioner informs the district, in writing, that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code [121485](http://gamutonline.net/displayPolicy/149607/5), [121495](http://gamutonline.net/displayPolicy/149609/5), [121505](http://gamutonline.net/displayPolicy/149611/5))

(cf. [5141.26](http://gamutonline.net/displayPolicy/635522/5) - Tuberculosis Testing)

The Superintendent or designee shall exclude a student who is infected with any contagious or infectious disease. The student shall be permitted to return to school when a medical provider informs the Superintendent or designee in writing that he/she is satisfied that the contagious or infectious disease no longer exists. (Education Code [49451](http://gamutonline.net/displayPolicy/132366/5); 5 CCR [202](http://gamutonline.net/displayPolicy/186800/5))

The Superintendent or designee shall exclude a student who resides where any contagious, infectious, or communicable disease subject to quarantine exists or has recently existed and who is subject to strict isolation or quarantine of contacts, unless written permission of the health officer is provided. (Health and Safety Code [120230](http://gamutonline.net/displayPolicy/149785/5))

Permissive Exclusions

A student may be excluded from attendance at a district school under either of the following circumstances:

1. If there is good cause to believe that the student has been exposed to any disease stated in Health and Safety Code [120335](http://gamutonline.net/displayPolicy/150209/5) and his/her documentation of immunization does not show proof of immunization against that disease, the student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code [120335](http://gamutonline.net/displayPolicy/150209/5), [120370](http://gamutonline.net/displayPolicy/149804/5))

2. If the student has not had the health screening specified in Health and Safety Code [124040](http://gamutonline.net/displayPolicy/149618/5) before or within the first 90 days of attending first grade, he/she may be excluded for up to five days unless the parent/guardian has presented a waiver or the district has exempted the student from this requirement in accordance with law. (Health and Safety Code [124105](http://gamutonline.net/displayPolicy/149631/5))

(cf. 5141.32 - Health Screening for School Entry)

Notifications to Parents/Guardians

The Superintendent or designee may exclude a student without prior notice to the parent/guardian if the student is excluded for any of the following reasons: (Education Code [48213](http://gamutonline.net/displayPolicy/136109/5))

1. He/she resides in an area subject to quarantine pursuant to Health and Safety Code [120230](http://gamutonline.net/displayPolicy/149785/5).

2. He/she is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to Education Code [49451](http://gamutonline.net/displayPolicy/132366/5).

3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent or designee shall send a notice as soon as reasonably possible after the exclusion. (Education Code [48213](http://gamutonline.net/displayPolicy/136109/5))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

In all other cases, the Superintendent or designee shall send a notice to the student's parent/guardian stating the facts leading to the exclusion, prior to excluding the student from attendance.

Appeals from Exclusion

Upon exclusion of his/her child, a parent/guardian may meet with the Superintendent or designee to discuss the exclusion. If the parent/guardian disagrees with the decision of the Superintendent or designee to exclude his/her child, he/she may appeal the decision to the Governing Board.

The parent/guardian shall have an opportunity to inspect all documents upon which the district is basing its decision, to challenge any evidence and question any witness presented by the district, to present oral and documentary evidence on the student's behalf,

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 18, 2015 Dunsmuir, California

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## BP  5112.5  - Open/Closed Campus 8/18

Open Campus

In order to give students an opportunity to demonstrate responsibility, independent judgment, and positive citizenship, the Governing Board establishes an open campus at all district high schools in which students shall have the privilege of leaving campus during lunch.

The principal or designee shall ensure that students granted this privilege meet any eligibility requirements established by the district.

The district shall send written notification to parents/guardians about the open campus policy at the beginning of the school year along with the parental notification required by Education Code [48980](http://gamutonline.net/displayPolicy/226041/5). Such notification shall include the language prescribed by Education Code [44808.5](http://gamutonline.net/displayPolicy/130924/5).

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

Students shall not leave school grounds at any other time during the school day without express permission of school authorities. Students who leave school without authorization shall be considered to have an unexcused absence and be subject to disciplinary action.

(cf. [5112.1](http://gamutonline.net/displayPolicy/442962/5) - Exemptions from Attendance)

(cf. [5113](http://gamutonline.net/displayPolicy/442969/5) - Absences and Excuses)

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/5) - Chronic Absence and Truancy)

(cf. [5113.11](http://gamutonline.net/displayPolicy/1095004/5) - Attendance Supervision)

(cf. [5113.12](http://gamutonline.net/displayPolicy/1095005/5) - District School Attendance Review Board)

The principal or designee may revoke the open campus privilege for individual students for disciplinary reasons.

(cf. [5144](http://gamutonline.net/displayPolicy/944044/5) - Discipline)

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

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

## AR  5113  - Absences And Excuses    4/13/22

**Excused Absences**

|  |  |  |
| --- | --- | --- |
|  | **Original Adopted Date:** 01/16/2019 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | see more |

**Excused Absences**  
  
  
Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness, including absence for the benefit of the student's mental or behavioral health.  (Education Code 48205)
2. Quarantine under the direction of a county or city health officer.  (Education Code 48205)
3. Medical, dental, optometrical, or chiropractic service or appointment.  (Education Code 48205)
4. Attendance at funeral services for a member of the student's immediate family.  (Education Code 48205)  
     
   Such absence shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.  (Education Code 48205)
5. Jury duty in the manner provided for by law.  (Education Code 48205)
6. Illness or medical appointment of a child to whom the student is the custodial parent.  (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to:  (Education Code 48205)  
   1. Appearance in court
   2. Attendance at a funeral service
   3. Observance of a religious holiday or ceremony
   4. Attendance at religious retreats for no more than four hours per semester
   5. Attendance at an employment conference
   6. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302. (Education Code 48205)
9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment.  (Education Code 48205)  
     
   Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee.  (Education Code 48205)
10. Attendance at the student's naturalization ceremony to become a United States citizen. (Education Code 48205)
11. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, and traditions of a certain group of people.  (Education Code 48205)
12. For a middle school or high school student, engagement in a civic or political event, provided that the student notifies the school ahead of the absence. Unless otherwise permitted by the Superintendent or designee, students shall be limited to one such school day-long absence per school year.  (Education Code 48205)
13. Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school property as designated by the religious group, church, or denomination.  (Education Code 46014)  
      
    Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 - School Day, and is not excused from school for this purpose on more than four days per school month.  (Education Code 46014)
14. Work in the entertainment or allied industry.  (Education Code 48225.5)  
      
    Work for a student who holds a work permit authorizing work in the entertainment or allied industries for a period of not more than five consecutive days. For this purpose, student absence shall be excused for a maximum of up to five absences per school year.  (Education Code 48225.5)
15. Participation with a nonprofit performing arts organization in a performance for a public school audience.  (Education Code 48225.5)  
      
    A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school.  (Education Code 48225.5)
16. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances.  (Education Code 48205, 48260)

For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household.  (Education Code 48205)  
  
**Method of Verification**  
  
  
Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note.  (Education Code 48205)  
  
For other absences, the student shall, upon returning to school following the absence, present a satisfactory explanation, either in person or by written note, verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having charge or control of the student, or the student if age 18 or older.  (Education Code 46012; 5 CCR 306)  
  
When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.  
  
The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:  
   1. Name of student
   2. Name of parent/guardian or parent representative
   3. Name of verifying employee
   4. Date(s) of absence
   5. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in Item #2 above.
4. Physician's verification.  
   1. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.
   2. If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

**Parental Notifications**  
  
At the beginning of each school year, the Superintendent or designee shall:

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination.  (Education Code 46014, 48980)
2. Notify students in grades 7-12 and the parents/guardians of all students enrolled in the district that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian.  (Education Code 46010.1)
3. Notify parents/guardians that a student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Such notice shall include the full text of Education Code 48205.  (Education Code 48980)

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## AR  5116.1  - Intradistrict Open Enrollment    1/21/20

Transfers for Victims of a Violent Criminal Offense

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

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

Transfers from a "Persistently Dangerous" School

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," intradistrict transfers shall be granted as follows:

1. Within 10 days of receipt of the notification from CDE, the Superintendent or designee shall provide parents/guardians of students attending the school with notice of the school's designation. Along with this notification, or at least 14 calendar days before the start of the school year, the Superintendent or designee shall provide a list of other district schools to which any student of the school that is designated as persistently dangerous may transfer.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/5) - Comprehensive Safety Plan)

2. Parents/guardians who desire to transfer their child out of the school shall provide a written response to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students.

3. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. The Superintendent or designee shall notify the parents/guardians of the assigned school.

4. For students whose parents/guardians accept the offer, the transfer shall be made as quickly as possible. If the parents/guardians decline the assigned school, the student may remain in the current school.

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

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

(cf. [5117](http://gamutonline.net/displayPolicy/767228/5) - Interdistrict Attendance)

Other Intradistrict Open Enrollment

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.

2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.

3. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.

4. Approved applicants must confirm their enrollment within 10 school days.

Any student who is granted a transfer out of a school that had been identified by CDE for comprehensive support and improvement shall be allowed to remain in the school of enrollment until completing the highest grade offered at that school. (20 USC [6311](http://gamutonline.net/displayPolicy/303162/5))

(cf. [0520.1](http://gamutonline.net/displayPolicy/1155796/5) - Comprehensive and Targeted Support and Improvement)

A student granted intradistrict enrollment under other circumstances shall not be required to reapply for readmission but may be subject to displacement due to excessive enrollment.

Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/5) - Uniform Complaint Procedures)

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code [35160.5](http://gamutonline.net/displayPolicy/133166/5), [48980](http://gamutonline.net/displayPolicy/226041/5))

1. All options for meeting residency requirements for school attendance

(cf. [5111.1](http://gamutonline.net/displayPolicy/1084406/5) - District Residency)

2. Program options offered within local attendance areas

3. A description of any special program options available on both an interdistrict and intradistrict basis

4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied

5. A district application form for requesting a change of attendance

6. The explanation of attendance options under California law as provided by CDE

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: January 21, 2020 Dunsmuir, California

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## AR  5117  - Interdistrict Attendance    1/21/20

Interdistrict Attendance Agreements and Permits

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year

2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence

3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision

4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request

5. Applicable timelines for processing a request, including the following statements:

a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.

b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.

6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by either the district of residence or district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code [48900](http://gamutonline.net/displayPolicy/137736/5)(r), committed by a student of the district of residence. (Education Code [46600](http://gamutonline.net/displayPolicy/132030/5))

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/5) - Uniform Complaint Procedures)

(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/5) - Bullying)

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code [220](http://gamutonline.net/displayPolicy/138763/5), including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code [46600](http://gamutonline.net/displayPolicy/132030/5))

In addition, the Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

1. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries

(cf. [5148](http://gamutonline.net/displayPolicy/443078/5) - Child Care and Development)

2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

(cf. [6159](http://gamutonline.net/displayPolicy/443169/5) - Individualized Education Program)

3. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance

4. To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year

5. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school

6. To allow a high school senior to attend the same school attended as a junior, even if the student's family moved out of the district during the junior year

7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the school year in the district

8. When the student will be living out of the district for one year or less

9. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/5) - Chronic Absence and Truancy)

(cf. [5113.12](http://gamutonline.net/displayPolicy/1095005/5) - District School Attendance Review Board)

10. When there is valid interest in a particular educational program not offered in the district of residence

11. To provide a change in school environment for reasons of personal and social adjustment

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

(cf. [0410](http://gamutonline.net/displayPolicy/442456/5) - Nondiscrimination in District Programs and Activities)

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code [48985](http://gamutonline.net/displayPolicy/132268/5), and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code [46603](http://gamutonline.net/displayPolicy/132032/5))

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. [5119](http://gamutonline.net/displayPolicy/442983/5) - Students Expelled from Other Districts)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/5) - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code [46600](http://gamutonline.net/displayPolicy/132030/5))

Transfers Out of the District

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code [46600](http://gamutonline.net/displayPolicy/132030/5), [48307](http://gamutonline.net/displayPolicy/328915/5))

If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code [46600](http://gamutonline.net/displayPolicy/132030/5), the district shall not prohibit the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (Education Code [46600](http://gamutonline.net/displayPolicy/132030/5))

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code [48307](http://gamutonline.net/displayPolicy/328915/5))

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code [48307](http://gamutonline.net/displayPolicy/328915/5) based on the district's average daily attendance.

2. The County Superintendent of Schools has given the district a negative budget certification or 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.

(cf. [3100](http://gamutonline.net/displayPolicy/991931/5) - Budget)

3. The Board determines that the transfer would negatively impact any of the following: (Education Code [48307](http://gamutonline.net/displayPolicy/328915/5))

a. A court-ordered desegregation plan

b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31

c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: January 21, 2020 Dunsmuir, California

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## BP 5119 - Students Expelled From Other Districts 7/07

The Governing Board may grant admission to students expelled from other districts in accordance with law and when consistent with the Board's goal to provide a safe and secure environment for students and staff.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/index.html) - Comprehensive Safety Plan)

If a student expelled from another district is granted enrollment, in accordance with the procedures specified below, he/she shall either establish legal residence in this district or enroll pursuant to an interdistrict attendance agreement. (Education Code [48915.1](http://gamutonline.net/displayPolicy/135956/index.html), [48915.2](http://gamutonline.net/displayPolicy/132244/index.html))

(cf. [5111](http://gamutonline.net/displayPolicy/442954/index.html) - Admission)

(cf. [5111.1](http://gamutonline.net/displayPolicy/442956/index.html) - District Residency)

(cf. [5117](http://gamutonline.net/displayPolicy/767228/index.html) - Interdistrict Attendance Agreements)

Enrollment During the Term of the Expulsion

The district shall not enroll a student expelled by another district for any of the offenses listed in Education Code [48915](http://gamutonline.net/displayPolicy/135958/index.html)(a) or (c) (mandatory expulsion offenses) during the term of the student's expulsion, unless the enrollment is at a community day school. (Education Code [48915.2](http://gamutonline.net/displayPolicy/132244/index.html))

Upon receiving a request for enrollment from a student expelled from another district for acts other than those specified in Education Code [48915](http://gamutonline.net/displayPolicy/135958/index.html)(a) or (c), the Board shall hold a hearing to determine whether the student poses a continuing danger to students or staff. The hearing shall be conducted and notice shall be provided in accordance with procedures governing expulsion of students described in Education Code [48918](http://gamutonline.net/displayPolicy/137967/index.html). (Education Code [48915.1](http://gamutonline.net/displayPolicy/135956/index.html))

(cf. [5144.1](http://gamutonline.net/displayPolicy/443057/index.html) - Suspension and Expulsion/Due Process)

If the student or parent/guardian neglects to inform the district that the student was expelled from his/her previous district for an act other than those listed in Education Code [48915](http://gamutonline.net/displayPolicy/135958/index.html)(a) or (c), the Board shall record and discuss this lack of compliance during the hearing. (Education Code [48915.1](http://gamutonline.net/displayPolicy/135956/index.html))

If the Board finds that a student expelled for acts other than those specified in Education Code [48915](http://gamutonline.net/displayPolicy/135958/index.html)(a) or (c) does not pose a continuing danger to students or staff, the student may be admitted or conditionally admitted during the term of expulsion. If the Board determines that the student does pose a continuing danger to students or staff, the student shall not be admitted. (Education Code [48915.1](http://gamutonline.net/displayPolicy/135956/index.html))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/index.html) - Parental Notifications)

Enrollment After the Term of the Expulsion

A student expelled for an act specified in Education Code [48915](http://gamutonline.net/displayPolicy/135958/index.html)(a) or (c) may enroll in the district after the term of his/her expulsion if the Board finds, at a hearing, that the student does not pose a continuing danger to students or staff. The hearing shall be conducted and notice shall be provided in accordance with procedures governing expulsion of students described in Education Code [48918](http://gamutonline.net/displayPolicy/137967/index.html). (Education Code [48915.2](http://gamutonline.net/displayPolicy/132244/index.html))

A student expelled for any act other than those specified in Education Code [48915](http://gamutonline.net/displayPolicy/135958/index.html)(a) or (c) may request enrollment after the term of his/her expulsion in accordance with the district's procedures for establishing residency or interdistrict transfer.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: July 10, 2007 Dunsmuir, California

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## BP 5121 - Grades/Evaluation Of Student Achievement 8/16

The Governing Board believes that grades serve a valuable instructional purpose by helping students and parents/guardians understand performance expectations and identifying the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's academic performance.

(cf. [5020](http://gamutonline.net/displayPolicy/442946/5) - Parent Rights and Responsibilities)

(cf. [5125.2](http://gamutonline.net/displayPolicy/442995/5) - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall establish a uniform grading system that shall be applied to all students in that course and grade level. Teachers shall inform students and parents/guardians how academic performance will be evaluated in the classroom.

(cf. [0410](http://gamutonline.net/displayPolicy/442456/5) - Nondiscrimination in District Programs and Activities)

A teacher shall base a student's grades solely on the quality of the student's academic work and his/her mastery of course content based on district standards. Students shall have the opportunity to demonstrate this mastery through a variety of methods, including, but not limited to, tests, projects, portfolios, and/or class discussion as appropriate. Other elements that are not a direct measure of knowledge and understanding of course content, such as attendance, effort, student conduct, and work habits, shall not be factored into the academic grade but may be reported separately.

(cf. [6011](http://gamutonline.net/displayPolicy/443083/5) - Academic Standards)

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/5) - Student Assessment)

Whenever a student misses an assignment or assessment due to either an excused or unexcused absence, he/she shall be given full credit for subsequent satisfactory completion of the assignment or assessment.

(cf. [6154](http://gamutonline.net/displayPolicy/443162/5) - Homework/Makeup Work)

A teacher may assign a failing grade to a student who has 15 or more unexcused absences during the grading period.

(cf. [5113](http://gamutonline.net/displayPolicy/442969/5) - Absences and Excuses)

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/5) - Chronic Absence and Truancy)

Students in grades K-3 shall receive progress reports at the end of each grading period rather than letter grades.

At all grade levels, report cards may include reports of student progress on specific academic standards applicable to the course and grade level.

When reporting student performance to parents/guardians, teachers may add narrative descriptions, observational notes, and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

A report card for a student with a disability may contain information about his/her disability, including whether that student received special education or related services, provided that the report card informs parents/guardians about their child's progress or level of achievement in specific classes, course content, or curriculum. However, transcripts that may be used to inform postsecondary institutions or prospective employers of the student's academic achievements shall not contain information disclosing the student's disability.

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

(cf. [6159](http://gamutonline.net/displayPolicy/443169/5) - Individualized Education Program)

(cf. [6164.6](http://gamutonline.net/displayPolicy/443217/5) - Identification and Education Under Section 504)

A grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy, or administrative regulation. (Education Code [49066](http://gamutonline.net/displayPolicy/132284/5))

(cf. [5125.3](http://gamutonline.net/displayPolicy/442996/5) - Challenging Student Records)

The Superintendent or designee shall determine the methodology to be used in calculating students' grade point average (GPA), including the courses to be included within the GPA and whether extra grade weighting shall be applied to Advanced Placement, International Baccalaureate, honors, and/or concurrent postsecondary courses.

(cf. [6141.4](http://gamutonline.net/displayPolicy/1031362/5) - International Baccalaureate Program)

(cf. [6141.5](http://gamutonline.net/displayPolicy/944049/5) - Advanced Placement)

(cf. [6172](http://gamutonline.net/displayPolicy/443221/5) - Gifted and Talented Student Program)

(cf. [6172.1](http://gamutonline.net/displayPolicy/513058/5) - Concurrent Enrollment in College Classes)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: August 10, 2016 Dunsmuir, California

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## AR 5121- Grades/Evaluation Of Student Achievement 8/16

The Superintendent or designee shall inform teachers of the district's policy regarding grading, including expectations that grades shall be based on factors that directly measure students' knowledge and skills in the content area and shall not include nonacademic factors.

Report cards displaying students' grades in each subject or course shall be distributed to parents/guardians at the end of each grading period. Parents/guardians shall be offered an opportunity to meet with their child's teacher(s) to discuss the grades and strategies to improve their child's performance.

(cf. [6020](http://gamutonline.net/displayPolicy/443084/5) - Parent Involvement)

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code [49067](http://gamutonline.net/displayPolicy/138127/5))

(cf. [5123](http://gamutonline.net/displayPolicy/910311/5) - Promotion/Acceleration/Retention)

For each student in grades 9-12, the Superintendent or designee shall maintain a transcript recording the courses taken, the term that each course was taken, credits earned, final grades, and date of graduation.

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/5) - High School Graduation Requirements)

Grades for Academic Performance

For grades K-3, students' level of progress for each grading period shall be reported as follows:

O Outstanding

S Satisfactory

N Needs Improvement

For grades 4-12, grades for academic performance shall be reported for each grading period as follows:

A (90-100%) Outstanding Achievement 4.0 grade points

B (80-89%) Above Average Achievement 3.0 grade points

C (70-79%) Average Achievement 2.0 grade points

D (60-69%) Below Average Achievement 1.0 grade points

F (0-59%) Little or No Achievement 0 grade points

I Incomplete 0 grade points

An Incomplete shall be given only when a student's work is not finished by the end of the grading period because of illness or other excused absence. If not made up within six weeks, the Incomplete shall become an F.

Because of the more rigorous nature of Advanced Placement, International Baccalaureate, honors, and concurrent postsecondary courses, students receiving a grade of A, B, or C in those courses shall receive extra grade weighting as follows:

A (90-100%) Outstanding Achievement 5.0 grade points

B (80-89%) Above Average Achievement 4.0 grade points

C (70-79%) Average Achievement 3.0 grade points

(cf. [6141.4](http://gamutonline.net/displayPolicy/1031362/5) - International Baccalaureate Program)

(cf. [6141.5](http://gamutonline.net/displayPolicy/944049/5) - Advanced Placement)

(cf. [6172](http://gamutonline.net/displayPolicy/443221/5) - Gifted and Talented Student Program)

(cf. [6172.1](http://gamutonline.net/displayPolicy/513058/5) - Concurrent Enrollment in College Classes)

Grades for Physical Education

No grade of a student participating in a physical education class may be adversely affected due to the fact that the student, because of circumstances beyond his/her control, does not wear standardized physical education apparel. (Education Code [49066](http://gamutonline.net/displayPolicy/132284/5))

(cf. [6142.7](http://gamutonline.net/displayPolicy/443111/5) - Physical Education and Activity)

Student performance in high school physical education courses shall be based upon evaluation of the student's individual progress, attainment of goals in each instructional area, tests designed to determine skill and knowledge, and physical performance tests. (5 CCR [10060](http://gamutonline.net/displayPolicy/187106/5))

High school students using interscholastic athletic participation to fulfill physical education requirements, as authorized by Education Code [51242](http://gamutonline.net/displayPolicy/132687/5), may be graded on this participation provided a teacher credentialed to teach physical education supervises this participation and assigns the grade.

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/5) - Athletic Competition)

Grades for College Courses

When the district has approved a student to receive district credit for coursework completed at a community college or four-year college, he/she shall receive the same letter grade as is granted by the college.

Grades for Citizenship and Work Habits

Any grades assigned for citizenship or work habits, such as effort or study skills, shall be reported as follows:

O Outstanding

S Satisfactory

N Needs Improvement

Pass/Fail Grading

The Superintendent or designee may identify courses or programs for which students may, with parent/guardian permission, elect to earn a Pass or Fail grade instead of a letter grade.

Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or membership in the California Scholarship Federation. Students who receive a Fail grade shall not receive credit for taking the course.

Peer Grading

At their discretion, teachers may use peer grading of student tests, papers, and assignments as appropriate to reinforce lessons.

Repeating Classes

With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. Both grades received shall be entered on the student's transcript, but the student shall receive credit only once for taking the course. The highest grade received shall be used in determining the student's overall grade point average (GPA).

Withdrawal from Classes

A student who drops a course during the first six weeks of the grading period may do so without any entry on his/her permanent record card. A student who drops a course after the first six weeks of the grading period shall receive an F grade on his/her permanent record, unless otherwise decided by the principal or designee because of extenuating circumstances.

Effect of Absences on Grades

Teachers who choose to withhold class credit because of excessive unexcused absences shall so inform students and parents/guardians of such a possibility at the beginning of the school year or semester. When a student reaches the number of unexcused absences defined as excessive in Board policy, the student and parent/guardian shall again be notified of the district's policy regarding excessive unexcused absences.

(cf. [5113](http://gamutonline.net/displayPolicy/442969/5) - Absences and Excuses)

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/5) - Chronic Absence and Truancy)

The student and parent/guardian shall have a reasonable opportunity to explain the absences. (Education Code [49067](http://gamutonline.net/displayPolicy/138127/5))

If a student receives a failing grade because of excessive unexcused absences, the student's record shall specify that the grade was assigned because of excessive unexcused absences. (Education Code [49067](http://gamutonline.net/displayPolicy/138127/5))

Grades for a student in foster care shall not be lowered if the student is absent for any reason specified in Education Code [49069.5](http://gamutonline.net/displayPolicy/137891/5).

(cf. [6173.1](http://gamutonline.net/displayPolicy/910323/5) - Education for Foster Youth)

Grade Point Average

The Superintendent or designee shall calculate each student's GPA using the grade point assigned to each letter grade in accordance with the scale described in the section "Grades for Academic Performance" above. The grade points for all applicable coursework shall be totaled and divided by the number of courses completed. Pass/Fail grades shall not be included in the determination of a student's GPA.

(cf. [5126](http://gamutonline.net/displayPolicy/442997/5) - Awards for Achievement)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/5) - Extracurricular and Cocurricular Activities)

When plus and minus designations are added to letter grades, a plus shall be computed by adding 0.3 to the value assigned the letter grade and a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade.

Each academic year, the Superintendent or designee shall provide to the Student Aid Commission the GPA of all district students in grade 12, except for students who have opted out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code [69432.9](http://gamutonline.net/displayPolicy/721338/5))

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: August 10, 2016 Dunsmuir, California

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## AR  5125  - Student Records    1/12/22

**Definitions**  
  
*Student*means any individual who is or has been in attendance at the district and regarding whom the district maintains student records.  (34 CFR 99.3)  
  
*Attendance*includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program.  (34 CFR 99.3)  
  
*Student records* are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record.  (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)  
  
Student records do not include:  (Education Code 49061, 49062; 34 CFR 99.3)

1. Directory information
2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee
3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8
4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

*Mandatory permanent student records* are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive.  (5 CCR 430)  
  
*Mandatory interim student records* are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive.  (5 CCR 430)  
  
*Permitted student records*are those records having clear importance only to the current educational process of the student.  (5 CCR 430)  
  
*Disclosure*means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic.  (34 CFR 99.3)  
  
*Access*means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record.  (Education Code 49061)  
  
*Personally identifiable* information includes, but is not limited to:  (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

*Adult student* is a person who is or was enrolled in school and who is at least 18 years of age.  (5 CCR 430)  
  
*Parent/guardian* means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent.  (Education Code 49061, 56050, 56055)  
  
*Legitimate educational interest* is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.  
  
*School officials*and employees are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records.  (34 CFR 99.31)  
  
*Contractor or consultant* is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced by the district.  Contractor or consultant shall not include a volunteer or other party.  (Education Code 49076)  
  
*Custodian of records*is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons.  (5 CCR 433)  
  
*County placing agency* means the county social service department or county probation department.  (Education Code 49061)  
  
**Persons Granted Absolute Access**  
  
In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent  (Education Code 49069.7; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records  (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law  (Education Code 56041.5)

**Access for Limited Purpose/Legitimate Educational Interest**  
  
The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

1. Parents/guardians of a student 18 years of age or older who is a dependent child as defined in 26 USC 152  (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade  (Education Code 49076)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above  (Education Code 49076; 34 CFR 99.31)
4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student  (Education Code 49076)
5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer  (Education Code 49076; 34 CFR 99.31)  
     
   Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at the last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record.  (34 CFR 99.34)
6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA.  (Education Code 69432.9, 69432.92)  
     
   No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days.  (Education Code 69432.9)  
     
   Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number.  (Education Code 69432.9)
7. Federal, state, and local officials, as needed for an audit or evaluation of, or compliance with, a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35  (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)
8. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above  (Education Code 49076)
9. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena  (Education Code 49077; 5 CCR 435; 34 CFR 99.31)  
     
   Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order.  (Education Code 49077; 5 CCR 435; 34 CFR 99.31)
10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition  (Education Code 49076)
11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws  (Education Code 49076)
12. Any probation officer, district attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701  (Education Code 49076)  
      
    When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law.  (Education Code 49076)
13. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681  (Education Code 49076)  
      
    In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes.  Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours.  (Education Code 49076)
14. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined  (Education Code 49076)  
      
    Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district  (Education Code 49069.3)
15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a  (Education Code 49076)
16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school  (Education Code 49076)
17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs  (Education Code 49076; 20 USC 1232(g))
18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245  (Education Code 48902, 49076)  
      
    When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above.  (Education Code 49076)
19. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals  (Education Code 49076.5)  
      
    In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school.  (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.  
  
Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act.  (Education Code 49076)  
  
In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released.  (Education Code 49061, 49075)  
  
Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made.  (Education Code 49061)  
  
**Discretionary Access**  
  
At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake  (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)  
     
   When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made.  (Education Code 49076; 34 CFR 99.32)  
     
   Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.
2. Accrediting associations in order to carry out their accrediting functions  (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that:  (Education Code 49076; 34 CFR 99.31)  
   1. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.
   2. The information is destroyed when no longer needed for the purposes for which the study is conducted.
   3. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.
4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34  (Education Code 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made  (Health and Safety Code 120440)
6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with the district, excluding volunteers or other parties  (Education Code 49076)
7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid  (Education Code 49076; 34 CFR 99.31)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.37)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.  
  
Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act.  (Education Code 49076)  
  
**De-identification of Records**

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information.  Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information.  (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)  
  
**Process for Providing Access to Records**  
  
Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found.  Parents/guardians and adult students shall be notified of the location of student records if not centrally located.  (Education Code 49069; 5 CCR 433)  
  
The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons.  (5 CCR 433)  
  
The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests.  (34 CFR 99.31)  
  
To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records.  Prior to granting the request, the custodian of records shall authenticate the individual's identity.  For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.  
  
When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, the district shall provide a copy of the records disclosed.  (34 CFR 99.30)  
  
If the parent/guardian or adult student refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.  
  
Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours.  (Education Code 49069)  
  
Qualified certificated personnel shall be available to interpret records when requested.  (Education Code 49069)  
  
The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection.  (5 CCR 435)  
  
**Access Log**  
  
A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interest of the requester.  (Education Code 49064)  
  
In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection.  (5 CCR 435)  
  
The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.  
  
The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest
6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064.  (Education Code 49064; 5 CCR 432)  
  
**Duplication of Student Records**

To provide copies of any student record, the district may charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student.  No charge shall be made to locate or retrieve any student record.  (Education Code 49065)  
  
**Changes to Student Records**  
  
Only a parent/guardian having legal custody of a student or a student who is 18 years of age or is attending an institution of postsecondary education may challenge the content of a record or offer a written response to a record.  (Education Code 49061)  
  
No addition or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student.  (Education Code 49070; 5 CCR 437)  
  
Any request to change a student's legal name in the student's mandatory permanent student record shall be accompanied with appropriate documentation.  
  
Any challenge to the content of a student's record shall be filed in accordance with the process specified in AR 5125.3 - Challenging Student Records.  (Education Code 49070)  
  
**Retention and Destruction of Student Records**  
  
All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data.  (5 CCR 431)  
  
The following mandatory permanent student records shall be kept indefinitely:  (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date
3. Sex of student
4. Name and address of parent/guardian of minor student  
   1. Address of minor student if different from the above
   2. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district.  These records include:  (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor
2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry
4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
5. Language training records
6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs
10. Results of standardized tests administered within the past three years
11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program and their usefulness ceases, including:  (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data
4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction.  (5 CCR 437)  
  
**Transfer of Student Records**  
  
When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of rights regarding student records, including a parent/guardian's right to review, challenge, and receive a copy of student records.  (Education Code 49068; 5 CCR 438)

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion.  (Education Code 48201)  
  
When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district.  If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded.  If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school.  (Education Code 48918, 49068; 5 CCR 438)  
  
Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days.  (Education Code 49069.5)  
  
All student records shall be updated before they are transferred.  (5 CCR 438)  
  
Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian.  (5 CCR 438)  
  
If the district is withholding grades, diploma, or transcripts from the student because of damage or loss of school property, this information shall be sent to the requesting district along with the student's records.  
  
**Notification of Parents/Guardians**  
  
Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records.  If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities.  (Education Code 48985, 49063; 34 CFR 99.7)  
  
The notice shall include:  (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
12. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g
13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.  
  
**Student Records from Social Media**  
  
For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall:  (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the district obtained from the student's social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:  
   1. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or the student's parent/guardian
   2. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first

**Updating Name and/or Gender of Former Students**

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents.  (Education Code 49062.5)  
  
If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information:  (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name and/or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records.  (Education Code 49062.5)

## AR  5125.1  - Release Of Directory Information    10/11/05

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

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

(cf. 1112 - Media Relations)

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

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

(cf. 6164.2 - Guidance/Counseling Services)

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

(cf. 1113 - District and School Web Sites)

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## AR  5125.3  - Challenging Student Records    11/16

At the beginning of each school year or, for a student enrolled after the beginning of the school year, at the time of enrollment, parents/guardians shall be notified of the availability of the following procedures for challenging the contents of student records. Any student who is 18 years of age or attends a postsecondary institution shall have the sole right to challenge the contents of his/her records in accordance with the following procedures. (Education Code [49061](http://gamutonline.net/displayPolicy/132280/5), [49063](http://gamutonline.net/displayPolicy/138135/5))

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

Procedures for Challenging Records

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5); 34 CFR [99.20](http://gamutonline.net/displayPolicy/191113/5))

1. Inaccurate

2. An unsubstantiated personal conclusion or inference

3. A conclusion or inference outside of the observer's area of competence

4. Not based on the personal observation of a named person with the time and place of the observation noted

5. Misleading

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

Within 30 days of receiving a request to correct or remove any information from a record, the Superintendent or designee shall meet with the parent/guardian and the district employee who recorded that information, if he/she is presently employed by the district. (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5))

If the challenge involves a student's grade, the teacher who gave the grade shall be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. Insofar as practicable, the teacher shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher shall be final. (Education Code [49066](http://gamutonline.net/displayPolicy/132284/5))

(cf. [5121](http://gamutonline.net/displayPolicy/442984/5) - Grades/Evaluation of Student Achievement)

Resolution of Challenge/Appeals

After considering all relevant information, the Superintendent or designee shall sustain or deny the parent/guardian's allegations. (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5))

If the parent/guardian's allegations are sustained, the Superintendent or designee shall order the correction or removal and destruction of the information. (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5))

If the Superintendent or designee denies the allegations, the parent/guardian may, within 30 days, appeal the decision in writing to the Governing Board. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the district employee who recorded the information, if he/she is presently employed by the district. The Board shall then decide whether to sustain or deny the allegations. The decision of the Board shall be final. (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5))

(cf. [9321](http://gamutonline.net/displayPolicy/991969/5) - Closed Session Purposes and Agendas)

(cf. [9321.1](http://gamutonline.net/displayPolicy/468014/5) - Closed Session Actions and Reports)

If the Board sustains any or all of the allegations, the Superintendent or designee shall immediately order the correction or removal and destruction of the pertinent information from the student's records and shall inform the parent/guardian in writing that the information has been corrected or destroyed. (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5))

If the parent/guardian does not file an appeal, or if the appeal is denied by the Board, the parent/guardian shall be informed of his/her right to submit a written objection to the information. Any statement submitted by the parent/guardian shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the related part of the record is disclosed. (Education Code [49070](http://gamutonline.net/displayPolicy/132288/5); 34 CFR [99.21](http://gamutonline.net/displayPolicy/191114/5))

Hearing Panel

The Superintendent or designee and/or the Board may appoint a hearing panel to assist in making determinations regarding a challenge to student records or an appeal, as applicable, provided that the parent/guardian gives written consent to releasing relevant student record information to the panel members. Such a hearing panel shall consist of the following persons: (Education Code [49071](http://gamutonline.net/displayPolicy/132289/5))

1. A chairperson who is a principal of a public school other than the school at which the record is on file

2. A certificated employee appointed by the district's certificated employee council or, if no such council exists, by a parent/guardian

3. A parent/guardian appointed by the Superintendent or designee or the Board, whoever convenes the panel

If possible, the members of the hearing panel shall not be acquainted with the student, his/her parent/guardian, or the employee who recorded the information, except when the parent/guardian appoints the certificated employee pursuant to item #2 above. (Education Code [49071](http://gamutonline.net/displayPolicy/132289/5))

The panel shall be provided with verbatim copies of the information that is the subject of the controversy. The panel shall, in closed session, hear the parent/guardian's objections to the student record and, if the employee is presently employed by the district, the employee's testimony. The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities. The panel shall submit, to the Superintendent or designee or the Board as applicable, its written findings setting forth the facts and decisions of the panel. (Education Code [49071](http://gamutonline.net/displayPolicy/132289/5))

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 9, 2016 Dunsmuir, California

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# Behavior

## BP  5131  Conduct    11/19

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

(cf. [0450](http://gamutonline.net/displayPolicy/442470/5) - Comprehensive Safety Plan)

(cf. [5131.1](http://gamutonline.net/displayPolicy/443002/5) - Bus Conduct)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/5) - Positive School Climate)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/5) - Athletic Competition)

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

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. [5131.7](http://gamutonline.net/displayPolicy/443016/5) - Weapons and Dangerous Instruments)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/5) - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program

(cf. [5131.2](http://gamutonline.net/displayPolicy/746979/5) - Bullying)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/5) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/5) - Sexual Harassment)

(cf. [5145.9](http://gamutonline.net/displayPolicy/443074/5) - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. [5131.4](http://gamutonline.net/displayPolicy/443005/5) - Student Disturbances)

4. Willful defiance of staff's authority

5. Damage to or theft of property belonging to students, staff, or the district

(cf. [3515.4](http://gamutonline.net/displayPolicy/442594/5) - Recovery for Property Loss or Damage)

(cf. [5131.5](http://gamutonline.net/displayPolicy/443007/5) - Vandalism and Graffiti)

6. Obscene acts or use of profane, vulgar, or abusive language

(cf. [5145.2](http://gamutonline.net/displayPolicy/443065/5) - Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [5131.62](http://gamutonline.net/displayPolicy/944043/5) - Tobacco)

(cf. [5131.63](http://gamutonline.net/displayPolicy/443013/5) - Steroids)

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code [417.27](http://gamutonline.net/displayPolicy/204121/5))

9. Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy

(cf. [5131.8](http://gamutonline.net/displayPolicy/1155799/5) - Mobile Communication Devices)

(cf. [6163.4](http://gamutonline.net/displayPolicy/443203/5) - Student Use of Technology)

10. Plagiarism or dishonesty on school work or tests

(cf. [5131.9](http://gamutonline.net/displayPolicy/443018/5) - Academic Honesty)

(cf. [6162.54](http://gamutonline.net/displayPolicy/944053/5) - Test Integrity/Test Preparation)

(cf. [6162.6](http://gamutonline.net/displayPolicy/443194/5) - Use of Copyrighted Materials)

11. Wearing of any attire that violates district or school dress codes, including gang-related apparel

(cf. [5132](http://gamutonline.net/displayPolicy/443019/5) - Dress and Grooming)

(cf. [5136](http://gamutonline.net/displayPolicy/443022/5) - Gangs)

12. Tardiness or unexcused absence from school

(cf. [5113](http://gamutonline.net/displayPolicy/442969/5) - Absences and Excuses)

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/5) - Chronic Absence and Truancy)

(cf. [5113.11](http://gamutonline.net/displayPolicy/1095004/5) - Attendance Supervision)

(cf. [5113.12](http://gamutonline.net/displayPolicy/1095005/5) - District School Attendance Review Board)

13. Failure to remain on school premises in accordance with school rules

(cf. [5112.5](http://gamutonline.net/displayPolicy/442967/5) - Open/Closed Campus)

Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. [5145.12](http://gamutonline.net/displayPolicy/443063/5) - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. [1400](http://gamutonline.net/displayPolicy/442526/5) - Relations Between Other Governmental Agencies and the Schools)

(cf. [5020](http://gamutonline.net/displayPolicy/442946/5) - Parent Rights and Responsibilities)

(cf. [5127](http://gamutonline.net/displayPolicy/442999/5) - Graduation Ceremonies and Activities)

(cf. [5138](http://gamutonline.net/displayPolicy/443025/5) - Conflict Resolution/Peer Mediation)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/5) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/5) - Suspension and Expulsion/Due Process)

(cf. [5144.2](http://gamutonline.net/displayPolicy/443059/5) - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. [6020](http://gamutonline.net/displayPolicy/443084/5) - Parent Involvement)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/5) - Extracurricular and Cocurricular Activities)

(cf. [6159.4](http://gamutonline.net/displayPolicy/910318/5) - Behavioral Interventions for Special Education Students)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/5) - Guidance/Counseling Services)

(cf. [6164.5](http://gamutonline.net/displayPolicy/443215/5) - Student Success Teams)

(cf. [6184](http://gamutonline.net/displayPolicy/944055/5) - Continuation Education)

(cf. [6185](http://gamutonline.net/displayPolicy/443249/5) - Community Day School)

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

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 13, 2019 Dunsmuir, California

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## BP  5131.1 -  Bus Conduct   11/08

In order to help ensure the safety and well-being of students, bus drivers, and others, the Governing Board expects students to exhibit appropriate and orderly conduct at all times when using school transportation, including while preparing to ride, riding, or leaving the bus.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/5) - Comprehensive Safety Plan)

(cf. [3516](http://gamutonline.net/displayPolicy/442602/5) - Emergencies and Disaster Preparedness Plan)

(cf. [3540](http://gamutonline.net/displayPolicy/442610/5) - Transportation)

(cf. [3541.2](http://gamutonline.net/displayPolicy/442616/5) - Transportation for Students with Disabilities)

(cf. [3543](http://gamutonline.net/displayPolicy/442619/5) - Transportation Safety and Emergencies)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/5) - Conduct)

The Superintendent or designee shall establish regulations related to student conduct on buses, bus driver authority, and the suspension of riding privileges. He/she shall make these rules available to parents/guardians, students, and other interested parties. (5 CCR [14103](http://gamutonline.net/displayPolicy/187309/5))

(cf. [3452](http://gamutonline.net/displayPolicy/460277/5) - School Bus Drivers)

Students found to be in violation of the district's bus conduct rules shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. [5144](http://gamutonline.net/displayPolicy/944044/5) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/944046/5) - Suspension and Expulsion/Due Process)

The Superintendent or designee may deny a student the privilege of using school transportation upon the student's continued disorderly conduct or his/her persistent refusal to submit to the authority of the driver. (5 CCR [14103](http://gamutonline.net/displayPolicy/187309/5))

Bus Surveillance Systems

The Board believes that the use of surveillance systems on school buses will help to deter misconduct and improve discipline, ensure the safety of students and bus drivers, and prevent vandalism. Therefore, surveillance systems may be installed and used on school buses to monitor student behavior while traveling to and from school and school activities.

(cf. [3515](http://gamutonline.net/displayPolicy/442587/5) - Campus Security)

The Superintendent or designee shall notify students, parents/guardians, and staff that surveillance may occur on any school bus and that the contents of a recording may be a student record and, as such, may be used in student disciplinary proceedings or referred to local law enforcement, as appropriate. In addition, a prominent notice shall be placed in each bus stating that the bus is equipped with a surveillance monitoring system.

(cf. [5125](http://gamutonline.net/displayPolicy/442990/5) - Student Records)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted November 12, 2008 Dunsmuir, California

## AR  5131.1 -  Bus Conduct   11/08

Bus Rider Rules

The following rules apply at all times when students are riding a school bus, including when on school activity trips:

1. Riders shall follow the instructions and directions of the bus driver at all times.

(cf. [3542](http://gamutonline.net/displayPolicy/442618/5) - School Bus Drivers)

2. Riders should arrive at their designated bus stop on time and stand in a safe place at the stop to wait quietly for the bus.

(cf. [3541](http://gamutonline.net/displayPolicy/442612/5) - Transportation Routes and Services)

3. Riders shall enter the bus in an orderly manner and go directly to their seats.

4. Riders shall sit down and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion.

5. Riders shall not block the aisle or emergency exit with their body or personal belongings. Riders may bring large or bulky items, such as class projects or musical instruments, on the bus only if the item does not displace any other rider or obstruct the driver's vision.

6. Riders should be courteous to the driver and to fellow passengers. Vulgarity, rude, or abusive behavior is prohibited.

7. Any noise or behavior that could distract the driver, such as loud talking, scuffling or fighting, throwing objects, or standing or changing seats, is prohibited and may lead to suspension of riding privileges.

(cf. [5144](http://gamutonline.net/displayPolicy/944044/5) - Discipline)

8. Riders shall not use tobacco products, eat, or drink while riding the bus.

(cf. [5131.62](http://gamutonline.net/displayPolicy/944043/5) - Tobacco)

9. Riders may bring electronic devices onto the bus only if such devices are permitted at school. If the use of cellular telephones or similar devices disrupts the safe operation of the school bus, the bus driver may direct the student to no longer use the device on the bus.

(cf. [5131](http://gamutonline.net/displayPolicy/443000/5) - Conduct)

10. Riders shall not put any part of the body out of the window nor throw any item from the bus.

11. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.

12. Service animals are permitted on school transportation services; all other animals are prohibited. (Education Code [39839](http://gamutonline.net/displayPolicy/204216/5); 13 CCR [1216](http://gamutonline.net/displayPolicy/368232/5))

(cf. [6163.2](http://gamutonline.net/displayPolicy/443201/5) - Animals at School)

13. Upon reaching their destination, riders shall remain seated until the bus comes to a complete stop and upon the signal from the driver, unfasten any restraint system, enter the aisle, and go directly to the exit.

14. Riders should be alert for traffic when leaving the bus and shall follow the district's transportation safety plan when crossing the road and exiting the bus.

(cf. [3543](http://gamutonline.net/displayPolicy/442619/5) - Transportation Safety and Emergencies)

The driver or any passenger shall report any violation of the district's bus rules to the principal or designee. 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.

Bus drivers shall not deny transportation services except as directed by the principal or designee.

Bus Surveillance Systems

The Superintendent or designee shall monitor the use and maintenance of the district's bus surveillance system. Students are prohibited from tampering with the bus surveillance system. Any student found tampering with the system shall be subject to discipline and shall be responsible for the costs of any necessary repairs or replacement.

(cf. [3515.4](http://gamutonline.net/displayPolicy/442594/5) - Recovery for Property Loss or Damage)

(cf. [5131.5](http://gamutonline.net/displayPolicy/443007/5) - Vandalism, Theft and Graffiti)

Camera supports may be installed in all buses. Cameras may be rotated among the buses and activated at the discretion of the Superintendent or designee.

The content of any recording is a student record and may only be accessed in accordance with the district's policy and administrative regulation concerning student records.

(cf. [5125](http://gamutonline.net/displayPolicy/442990/5) - Student Records)

(cf. [5125.1](http://gamutonline.net/displayPolicy/442992/5) - Release of Directory Information)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 12, 2008 Dunsmuir, California

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## BP  5131.2 - Bullying  1/21/20

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. [5131](http://gamutonline.net/displayPolicy/443000/5) - Conduct)

(cf. [5136](http://gamutonline.net/displayPolicy/443022/5) - Gangs)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/5) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/5) - Sexual Harassment)

(cf. [5145.9](http://gamutonline.net/displayPolicy/443074/5) - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. [1220](http://gamutonline.net/displayPolicy/442496/5) - Citizen Advisory Committees)

(cf. [1400](http://gamutonline.net/displayPolicy/442526/5) - Relations Between Other Governmental Agencies and the Schools)

(cf. [6020](http://gamutonline.net/displayPolicy/443084/5) - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. [0420](http://gamutonline.net/displayPolicy/442457/5) - School Plans/Site Councils)

(cf. [0450](http://gamutonline.net/displayPolicy/442470/5) - Comprehensive Safety Plan)

(cf. [0460](http://gamutonline.net/displayPolicy/890963/5) - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/5) - Uniform Complaint Procedures)

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code [48900](http://gamutonline.net/displayPolicy/137736/5), the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code [46600](http://gamutonline.net/displayPolicy/132030/5), the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

(cf. [5116.1](http://gamutonline.net/displayPolicy/442974/5) - Intradistrict Open Enrollment)

(cf. [5117](http://gamutonline.net/displayPolicy/767228/5) - Interdistrict Attendance)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. [4118](http://gamutonline.net/displayPolicy/991942/5) - Dismissal/Suspension/Disciplinary Action)

(cf. [4119.21](http://gamutonline.net/displayPolicy/767211/5)/[4219.21](http://gamutonline.net/displayPolicy/767212/5)/[4319.21](http://gamutonline.net/displayPolicy/767213/5) - Professional Standards)

(cf. [4218](http://gamutonline.net/displayPolicy/1141977/5) - Dismissal/Suspension/Disciplinary Action)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: January 21, 2020 Dunsmuir, California

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## BP  5131.61 - Drug Testing    9/13

The Governing Board is committed to providing a safe, drug-free school environment to maximize the health and safety of district students and to protect them from dangers associated with illegal drug use and drug abuse. To support the district's drug abuse prevention efforts, the Board desires to establish a drug testing program in the district's high schools that will discourage illegal drug use among students and timely identify and refer drug users to appropriate counseling and rehabilitative services.

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [5131.63](http://gamutonline.net/displayPolicy/443013/5) - Steroids)

Any drug testing program to be implemented by the district shall be developed in consultation with drug treatment and prevention professionals, the laboratory contracted to conduct the tests, and district legal counsel. In addition, the Superintendent or designee may invite input from students, staff, parents/guardians, community members, and representatives of local health care agencies, community service agencies, and businesses.

(cf. [1020](http://gamutonline.net/displayPolicy/442487/5) - Youth Services)

Participation in the district's drug testing program shall require the written consent of students' parents/guardians. The Superintendent or designee shall provide information about the program, including the district's policy and procedures, to all high school students and their parents/guardians at the beginning of each school year. All informational materials provided for this purpose shall contain clear statements about how the program will be implemented, including, but not limited to, a list of every substance that to be tested for and how students may be withdrawn from participation in the program.

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

Drug testing procedures shall ensure appropriate student privacy while maintaining the viability of the process. If urinalysis testing is used, the supervisor collecting the specimen shall be the same gender as the student and the specimen shall be collected in a private facility behind a closed stall.

Parents/guardians shall be notified after any positive test results are confirmed. Test results shall be kept separate from the student's other educational records and shall be disclosed only to school staff designated by the Superintendent or designee as responsible for program implementation. The district shall not release test results to law enforcement authorities except in compliance with a court order.

(cf. [5125](http://gamutonline.net/displayPolicy/442990/5) - Student Records)

The Superintendent or designee shall provide training to principals, coaches, and other district staff involved in implementing the district's drug testing program.

(cf. [4131](http://gamutonline.net/displayPolicy/910308/5) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/5) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/5) - Staff Development

Students who test positive in any voluntary drug testing program shall be encouraged to participate in an assistance program and may be required to take subsequent drug tests. No disciplinary or punitive action shall be taken against any student who tests positive in the voluntary drug testing program.

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/5) - School Health Services)

Random Drug Testing for Athletics

The Superintendent or designee may establish a nonvoluntary, random drug testing program for students participating in athletics.

(cf. [6145](http://gamutonline.net/displayPolicy/443124/5) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/5) - Athletic Competition)

No fee shall be charged for student participation in the district's drug testing program.

(cf. [3260](http://gamutonline.net/displayPolicy/944031/5) - Fees and Charges)

The Superintendent or designee shall develop:

1. Informational materials to be provided to participating students and their parents/guardians about the drug testing program

The informational materials shall require parents/guardians to notify the school when their child is taking any medication by presenting either a copy of the prescription or a physician's written verification of this fact.

2. A drug testing consent form to be signed by the student and his/her parent/guardian prior to allowing the student to participate in athletics

The consent form shall specify the substances to be tested for and shall clearly indicate that the consent can be withdrawn and that the only consequence for such withdrawal will be that the student will no longer be able to participate in athletics

3. Procedures addressing how students will be selected, how often tests will be conducted, how samples will be collected and transported, and how results will be confirmed

Any student participating in athletics who fails a required drug test shall be disqualified from participating in the athletic activity in accordance with district policy and shall be referred to an assistance program.

At the beginning of each school year, the Superintendent or designee shall conduct an orientation session for students participating in athletics and their parents/guardians, to explain the district's policy and outline the procedures for drug testing and the consequences if a positive result is obtained.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: September 9, 2013 Dunsmuir, California

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## BP 5131.62 - Tobacco 8/16

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

(cf. [5141.23](http://gamutonline.net/displayPolicy/571127/5) - Asthma Management)

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco products.

Prohibition Against Tobacco Use

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. (Education Code [48900](http://gamutonline.net/displayPolicy/137736/5), [48901](http://gamutonline.net/displayPolicy/132225/5))

(cf. [3513.3](http://gamutonline.net/displayPolicy/944035/5) - Tobacco-Free Schools)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/5) - Conduct)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/5) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/5) - Suspension and Expulsion/Due Process)

(cf. [5144.2](http://gamutonline.net/displayPolicy/443059/5) - Suspension and Expulsion/Due Process (Students with Disabilities))

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code [22950.5](http://gamutonline.net/displayPolicy/1054394/5); Education Code [48901](http://gamutonline.net/displayPolicy/132225/5))

Tobacco products include: (Business and Professions Code [22950.5](http://gamutonline.net/displayPolicy/1054394/5); Education Code [48901](http://gamutonline.net/displayPolicy/132225/5))

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff

2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah

3. Any component, part, or accessory of a tobacco product, whether or not sold separately

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code [48900](http://gamutonline.net/displayPolicy/137736/5))

(cf. [5141.21](http://gamutonline.net/displayPolicy/910313/5) - Administering Medication and Monitoring Health Conditions)

Prevention Instruction

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code [51202](http://gamutonline.net/displayPolicy/132658/5). Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

(cf. [6142.8](http://gamutonline.net/displayPolicy/443114/5) - Comprehensive Health Education)

(cf. [6143](http://gamutonline.net/displayPolicy/443120/5) - Courses of Study)

Intervention/Cessation Services

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. Such intervention services shall be provided as an alternative to suspension for tobacco possession.

(cf. [1020](http://gamutonline.net/displayPolicy/442487/5) - Youth Services)

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/5) - School Health Services)

(cf. [5146](http://gamutonline.net/displayPolicy/910315/5) - Married/Pregnant/Parenting Students)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/5) - Guidance/Counseling Services)

Program Planning

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

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

(cf. [1220](http://gamutonline.net/displayPolicy/442496/5) - Citizen Advisory Councils)

(cf. [1400](http://gamutonline.net/displayPolicy/442526/5) - Relations Between Other Governmental Agencies and the Schools)

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

(cf. [5030](http://gamutonline.net/displayPolicy/442952/5) - Student Wellness)

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [5131.63](http://gamutonline.net/displayPolicy/443013/5) - Steroids)

The Superintendent or designee shall select tobacco-use prevention programs based on the model program designs identified by the California Department of Education (CDE) and may adapt the model to meet district needs. (Health and Safety Code [104420](http://gamutonline.net/displayPolicy/150402/5))

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

(cf. [1325](http://gamutonline.net/displayPolicy/442518/5) - Advertising and Promotion)

(cf. [3290](http://gamutonline.net/displayPolicy/442554/5) - Gifts, Grants and Bequests)

(cf. [6161.1](http://gamutonline.net/displayPolicy/443179/5) - Selection and Evaluation of Instructional Materials)

Program Evaluation

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code [104450](http://gamutonline.net/displayPolicy/0/5).

(cf. [0500](http://gamutonline.net/displayPolicy/442472/5) - Accountability)

(cf. [5022](http://gamutonline.net/displayPolicy/442949/5) - Student and Family Privacy Rights)

(cf. [6162.8](http://gamutonline.net/displayPolicy/443198/5) - Research)

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

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: August 10, 2016 Dunsmuir, California

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## AR  5131.62 -  Tobacco    10/09

Tobacco-Use Prevention Education Program

The district's tobacco-use prevention program shall provide students in grades 9-12 instruction which addresses the following topics: (Health and Safety Code [104420](http://gamutonline.net/displayPolicy/150402/5))

1. Immediate and long-term undesirable physiologic, cosmetic, and social consequences of tobacco use

2. Reasons that adolescents say they smoke or use tobacco

3. Peer norms and social influences that promote tobacco use

4. Refusal skills for resisting social influences that promote tobacco use

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [6142.8](http://gamutonline.net/displayPolicy/443114/5) - Comprehensive Health Education)

(cf. [6143](http://gamutonline.net/displayPolicy/443120/5) - Courses of Study)

As appropriate, the district shall provide or refer students in grades 9-12 to tobacco-use intervention and cessation activities. (Health and Safety Code [104420](http://gamutonline.net/displayPolicy/150402/5))

(cf. [1020](http://gamutonline.net/displayPolicy/442487/5) - Youth Services)

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/5) - School Health Services)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/5) - Guidance/Counseling Services)

The district shall provide or refer every pregnant and parenting minor enrolled in the district to tobacco-use prevention services. Such services may be integrated with existing programs for pregnant and parenting minors and shall include: (Health and Safety Code [104460](http://gamutonline.net/displayPolicy/149490/5))

1. Referral to perinatal and related support services

2. Outreach services and assessment of smoking status

3. Individualized counseling and advocacy services

4. Motivational messages

5. Cessation services, if appropriate

6. Incentives to maintain a healthy lifestyle

7. Follow-up assessment

8. Maintenance and relapse prevention services

(cf. [5146](http://gamutonline.net/displayPolicy/910315/5) - Married/Pregnant/Parenting Students)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: October 14, 2009 Dunsmuir, California

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## BP 5131.63 – Steroids 7/06

The Governing Board recognizes that the use of steroids and other performance-enhancing supplements presents a serious health and safety hazard. As part of the district's drug prevention and intervention efforts, the Superintendent or designee and staff shall make every reasonable effort to prevent students from using steroids or other performance-enhancing supplements.

Students in grades 7-12 shall receive a lesson on the effects of steroids as part of their health, physical education, or drug education program.

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/index.html) - Alcohol and Other Drugs)

(cf. [6142.8](http://gamutonline.net/displayPolicy/443114/index.html) - Comprehensive Health Education)

Students participating in interscholastic athletics are prohibited from using steroids and dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance synephrine. (Education Code [49030](http://gamutonline.net/displayPolicy/388037/index.html))

(cf. [5131.61](http://gamutonline.net/displayPolicy/443010/index.html) - Drug Testing)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/index.html) - Athletic Competition)

Before participating in interscholastic athletics, a student athlete and his/her parent/guardian shall sign a statement that the student athlete pledges not to use androgenic/anabolic steroids and dietary supplements banned by the U.S. Anti-Doping Agency and the substance synephrine, unless the student has a written prescription from a licensed health care practitioner to treat a medical condition.

A student who is found to have violated the agreement or this policy shall be restricted from participating in athletics and shall be subject to disciplinary procedures including, but not limited to, suspension or expulsion in accordance with law, Board policy, and administrative regulation.

(cf. [5144](http://gamutonline.net/displayPolicy/443055/index.html) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/443057/index.html) - Suspension and Expulsion/Due Process)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/index.html) - Extracurricular and Cocurricular Activities)

Coaches shall educate students about the district's prohibition and the dangers of using steroids and other performance-enhancing supplements.

(cf. [4127](http://gamutonline.net/displayPolicy/442798/index.html)/[4227](http://gamutonline.net/displayPolicy/442799/index.html)/[4327](http://gamutonline.net/displayPolicy/442800/index.html) - Temporary Athletic Team Coaches)

The Superintendent or designee shall ensure that district schools do not accept sponsorships or donations from supplement manufacturers that offer muscle-building supplements to students.

(cf. [1325](http://gamutonline.net/displayPolicy/442518/index.html) - Advertising and Promotion)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: July 11, 2006 Dunsmuir, California

## AR 5131.63 – Steroids 7/06

The district shall not accept a sponsorship from any manufacturer or distributor whose name appears on the label of a dietary supplement that contains substances banned by the U.S. Anti-Doping Agency and the substance synephrine. Such supplements shall not be sold, distributed, or marketed at a school-related event. (Education Code [49031](http://gamutonline.net/displayPolicy/388038/index.html))

Marketing includes, but is not limited to, direct product advertising, provision of educational materials, product promotion by a district employee or volunteer, product placement, clothing or equipment giveaways, or scholarships. Marketing shall not include the inadvertent display of a product name or advertising by a person who is not a manufacturer or distributor. (Education Code [49031](http://gamutonline.net/displayPolicy/388038/index.html))

School personnel and coaches may provide only nonmusical-building nutritional supplements to student athletes for the purpose of providing additional calories and electrolytes, provided that they do not contain any dietary supplements prohibited by the U.S. Anti-Doping Agency and the substance synephrine. Permissible nonmusical-building nutritional supplements are identified according to the following classes: carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, and vitamins and minerals.

School personnel, including coaches, shall follow the manufacturer's recommendations when discussing the use of any drug or food supplement with a student athlete. In order to minimize the health and safety risks to student athletes, school personnel shall not supply or recommend any drug, medication, or food supplement to enhance an athlete's performance.

Notice

The principal or designee shall ensure that the following warning, reproduced in 10-point bold type, is posted in every locker room of schools with classes in grades 7-12 and contained in any contracts for the lease or rental of the school's athletic facilities: (Civil Code [1812.97](http://gamutonline.net/displayPolicy/122409/index.html))

Warning: Use of steroids to increase strength or growth can cause serious health problems. Steroids can keep teenagers from growing to their full height; they can also cause heart disease, stroke, and damaged liver function.

Men and women using steroids may develop fertility problems, personality changes, and acne. Men can also experience premature balding and development of breast tissue. These health hazards are in addition to the civil and criminal penalties for unauthorized sale, use, or exchange of anabolic steroids.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: July 11, 2006 Dunsmuir, California

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# Health

## AR  5141.21  - Administering Medication And Monitoring Health Conditions    1/21/20

Definitions

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code [49423](http://gamutonline.net/displayPolicy/132359/5); 5 CCR [601](http://gamutonline.net/displayPolicy/316484/5))

Other designated school personnel means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR [601](http://gamutonline.net/displayPolicy/316484/5), [621](http://gamutonline.net/displayPolicy/821205/5))

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR [601](http://gamutonline.net/displayPolicy/316484/5))

Epinephrine auto-injector means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

(cf. [5141.23](http://gamutonline.net/displayPolicy/571127/5) - Asthma Management)

(cf. [5141.27](http://gamutonline.net/displayPolicy/484488/5) - Food Allergies/Special Dietary Needs)

Opioid antagonist means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

Notifications to Parents/Guardians

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code [49480](http://gamutonline.net/displayPolicy/132379/5))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code [49480](http://gamutonline.net/displayPolicy/132379/5))

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.

2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

When a student requires medication during the school day in order to participate in the educational program, the Superintendent or designee shall, as appropriate, inform the student's parents/guardians that the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act (20 USC [1400](http://gamutonline.net/displayPolicy/364360/5)-[1482](http://gamutonline.net/displayPolicy/364412/5)) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC [794](http://gamutonline.net/displayPolicy/191053/5)).

(cf. [6164.4](http://gamutonline.net/displayPolicy/443211/5) - Identification and Evaluation of Individuals for Special Education)

(cf. [6164.6](http://gamutonline.net/displayPolicy/443217/5) - Identification and Education Under Section 504)

Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Submitting the parent/guardian written statement and the authorized health care provider's written statement each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code [49414.5](http://gamutonline.net/displayPolicy/315668/5), [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5); 5 CCR [600](http://gamutonline.net/displayPolicy/316483/5), [626](http://gamutonline.net/displayPolicy/821210/5))

2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician, and updating the information when needed. (Education Code [49480](http://gamutonline.net/displayPolicy/132379/5))

3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR [606](http://gamutonline.net/displayPolicy/316489/5))

Parent/Guardian Statement

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student

2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication

3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration

4. Contain an acknowledgment that the parent/guardian understands the responsibilities to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment

5. Contain an acknowledgment that the parent/guardian understands the right to terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that the student be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5))

1. Consent to the self-administration

2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to the student, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation

2. That the individual is permitted to be on the school site

3. Any limitations on the individual's authority

Health Care Provider Statement

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5); 5 CCR [602](http://gamutonline.net/displayPolicy/316485/5))

2. The name of the medication (Education Code [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5); 5 CCR [602](http://gamutonline.net/displayPolicy/316485/5))

3. The method, amount, and time schedules by which the medication is to be taken (Education Code [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5); 5 CCR [602](http://gamutonline.net/displayPolicy/316485/5))

4. If a parent/guardian has requested that the student be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code [49414.5](http://gamutonline.net/displayPolicy/315668/5), [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5); 5 CCR [602](http://gamutonline.net/displayPolicy/316485/5))

5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code [49423](http://gamutonline.net/displayPolicy/132359/5), [49423.1](http://gamutonline.net/displayPolicy/352082/5); 5 CCR [602](http://gamutonline.net/displayPolicy/316485/5))

6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation

7. Possible side effects of the medication

8. Name, address, telephone number, and signature of the student's authorized health care provider

For self-administration of inhaled asthma medication, the district shall accept a written statement from a physician or surgeon contracted with a health plan licensed pursuant to Health and Safety Code 1351.2. Such written statement shall be in English and Spanish, and shall include the name and contact information for the physician or surgeon. (Education Code [49423.1](http://gamutonline.net/displayPolicy/352082/5))

District Responsibilities

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement

2. Accept delivery of medications from parents/guardians and count and record them upon receipt

3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

4. Maintain for each student a medication log which may:

a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information

b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student

6. Ensure that student confidentiality is appropriately maintained

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. [5148.2](http://gamutonline.net/displayPolicy/1084407/5) - Before/After School Programs)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/5) - Athletic Competition)

(cf. [6153](http://gamutonline.net/displayPolicy/443158/5) - School-Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take the medication

9. Keep all medication to be administered by the district in a locked drawer or cabinet

10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects

11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances

13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance

14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

Emergency Epinephrine Auto-Injectors

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

(cf. [4112.9](http://gamutonline.net/displayPolicy/767202/5)/[4212.9](http://gamutonline.net/displayPolicy/767203/5)/[4312.9](http://gamutonline.net/displayPolicy/767204/5) - Employee Notifications)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code [49414](http://gamutonline.net/displayPolicy/249240/5) and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

(cf. [4131](http://gamutonline.net/displayPolicy/910308/5) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/5) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/5) - Staff Development)

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in the employee's personnel file. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

(cf. [4112.6](http://gamutonline.net/displayPolicy/767199/5)/[4212.6](http://gamutonline.net/displayPolicy/767200/5)/[4312.6](http://gamutonline.net/displayPolicy/767201/5) - Personnel Files)

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code [49414](http://gamutonline.net/displayPolicy/249240/5), including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code [49414](http://gamutonline.net/displayPolicy/249240/5))

(cf. [3290](http://gamutonline.net/displayPolicy/442554/5) - Gifts, Grants and Bequests)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code [4119.2](http://gamutonline.net/displayPolicy/971061/5))

(cf. [3580](http://gamutonline.net/displayPolicy/442628/5) - District Records)

Emergency Medication for Opioid Overdose

The district may elect to make emergency naloxone hydrochloride or another opioid antagonist available at schools for the purpose of providing emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. In determining whether to make this medication available, the Superintendent or designee shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and training personnel to administer the medication. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

When available at the school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist, describing the training that the volunteer will receive, and explaining the right of the volunteer to rescind the offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on the offer to volunteer and that there will be no retaliation against any employee for rescinding the offer to volunteer. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

The principal or designee may designate one or more volunteer employees to receive initial and annual refresher training, based on standards adopted by the SPI, regarding the storage and emergency use of naloxone hydrochloride or another opioid antagonist. The training shall be provided at no cost to the employee, conducted during regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school for reference. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

A school nurse, other qualified supervisor of health, or, if the district does not have a qualified supervisor of health, a district administrator shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

If the medication is used, the school nurse, other qualified supervisor of health, or district administrator, as applicable, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering naloxone hydrochloride or another opioid antagonist for emergency aid shall be provided to each volunteer and retained in the employee's personnel file. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5), including, but not limited to, the acceptance of the naloxone hydrochloride or another opioid antagonist from a manufacturer or wholesaler. (Education Code [49414.3](http://gamutonline.net/displayPolicy/1070229/5))

The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code [4119.8](http://gamutonline.net/displayPolicy/1079100/5))

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: January 21, 2020 Dunsmuir, California

## AR  5141.3  - Health Examinations   3/15

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|  | Status: ADOPTED |
|  | **Original Adopted Date:** 03/11/2015 **| Last Revised Date:** 01/11/2023 **| Last Reviewed Date:** 01/11/2023 | see more |

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities, including scoliosis screening, when the Budget Act does not provide reimbursement during that fiscal year. As a result, districts should determine whether the Budget Act for the current fiscal year allows for the suspension of these requirements, and if so, suspend certain provisions of the following administrative regulation related to scoliosis screening. For more information, the district should consult CSBA's District and County Offices of Education Legal Services or district legal counsel.

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations.  (Education Code 48980; 20 USC 1232h)  
  
A parent/guardian may annually file with the principal a written statement withholding consent to the child's physical examination. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected.  (Education Code 49451; 20 USC 1232h)  
  
**Vision Tests**  
  
Each student's vision shall be appraised, by the school nurse or other personnel authorized under Education Code 49452, during the kindergarten year or upon first enrollment or entry in a district elementary school and subsequently in grades 2, 5, and 8. However, a student who is tested upon first enrollment or entry in the district in grade 4 or 7 shall not be required to be appraised in the next immediate year.  (Education Code 49455)  
  
The vision appraisal shall include tests for visual acuity, including near vision. Male students shall also be tested once for color vision in grade 1 or later and the results of the appraisal shall be entered in the student's health record.  (Education Code 49455)  
  
Appraisal of a student's vision may be waived under either of the following conditions:  (Education Code 49455)

1. The student's parent/guardian requests a waiver and presents a certificate from a physician/surgeon, physician assistant, or optometrist showing the results of an examination of the student's vision, including visual acuity and, in male students, color vision.
2. The student's parents/guardians file with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The report of a visual defect, if made in writing, shall be made on a form prescribed by the Superintendent of Public Instruction. The report shall not include a referral to any private practitioner. However, the student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county, or city department of public health.  (Education Code 49456)  
  
In addition to the vision appraisals described above, the school nurse and/or classroom teacher shall continually and regularly observe students' eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties.  (Education Code 49455)  
  
**Eye Examinations for the Purpose of Eyeglasses**  
  
In addition to the vision appraisals described above, the district may enter into a memorandum of understanding with a nonprofit eye examination provider, including a mobile provider, to provide noninvasive eye examinations at a district school exclusively for the purpose of providing eyeglasses. (Education Code 49455.5)  
  
Prior to any eye examination, the school shall notify parents/guardians of the upcoming eye examination and include a form that allows them to opt their child out of the examination. Parents/guardians who have submitted a general opt-out written statement in accordance with Education Code 49451 are deemed to have opted out.  (Education Code 49455.5)  
  
Parents/guardians whose child receives an eye examination shall be provided a report by the provider in accordance with Education Code 49456.  (Education Code 49455.5)  
  
**Hearing Tests**  
  
The Superintendent or designee shall provide for the administration of hearing tests to district students by personnel authorized to conduct such testing pursuant to Education Code 49452 and 49454 and in accordance with the procedures specified in 17 CCR 2951.  
  
Each student shall be given a hearing screening test at the following times:  (17 CCR 2951)

1. Kindergarten or grade 1
2. Grade 2
3. Grade 5
4. Grade 8
5. Grade 10 or 11
6. Upon first entry into the California public school system

Each student enrolled in a special education program, other than those enrolled because of a hearing problem, shall be given a hearing test when enrolled in the program and every third year thereafter. Hearing tests may be given more frequently as needed, based on the individualized education program team's evaluation of the student.  (17 CCR 2951)  
  
A follow-up hearing threshold test shall be administered to any student who fails to respond to any of the required frequencies in the screening test or is otherwise determined to need further evaluation.  (17 CCR 2951)  
  
The Superintendent or designee shall provide written notification of test results to the parents/guardians of any student who fails the hearing tests. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathology, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification shall include a recommendation that a further medical and audiological evaluation be obtained.  (17 CCR 2951)  
  
The dates and results of all screening tests and copies of threshold tests shall be included in the student's health records.  (17 CCR 2951)  
  
The principal or designee shall prepare an annual report of the school hearing testing program, using forms provided by the Department of Health Services, with copies to the Superintendent and the County Superintendent of Schools.  (17 CCR 2951)  
  
**Scoliosis Screening**  
  
Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis.  (Education Code 49452.5)  
  
The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age.  This notice shall also describe the public services available for treatment and include a referral to appropriate community resources.  (Education Code 49452.5)  
  
**Type 1 Diabetes Information**  
  
The Superintendent or designee shall provide parents/guardians of children enrolled in elementary school for the first time, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by the California Department of Education (CDE) regarding type 1 diabetes as specified in Education Code 49452.6.  
  
**Type 2 Diabetes Information**  
  
Because type 2 diabetes in children is a preventable and treatable disease, parents/guardians are encouraged to have their child screened by an authorized health care practitioner for risk factors of the disease, including excess weight, and to request tests of their child's blood glucose to determine if the child has type 2 diabetes or pre-diabetes.  
  
The Superintendent or designee shall provide parents/guardians of incoming students in grade 7, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by CDE regarding type 2 diabetes, which includes:  (Education Code 49452.7)

1. A description of the disease and its risk factors and warning signs
2. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes be screened for the disease
3. A description of the different types of diabetes screening tests available
4. A description of treatments and prevention methods

The Superintendent or designee may provide information to parents/guardians regarding public or private sources from which they may receive diabetes screening and education services for free or at reduced costs.

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|  | ***BP 5141.31 Immunizations 1/21***  **Original Adopted Date:** 11/18/2015 **| Last Revised Date:** 01/13/2021 |  |

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.  
  
Each student enrolling for the first time in a district school, preschool, or child care and development program or enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that the student has received all required immunizations in accordance with law.  Students shall be excluded from school or exempted from immunization requirements only as allowed by law.  
  
Transfer students shall be requested to present immunization records upon registration at district schools if possible.  
  
The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing.  At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school.   (Education Code 48980, 49403)

adopted: 1`/2021 Dunsmuir, California

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| AR 5141.31 Immunizations |  |
|  | **Original Adopted Date:** 11/18/2015 **| Last Revised Date:** 01/13/2021 |  |

**Required Immunizations**  
  
Upon a student's registration at a district school, the Superintendent or designee shall provide the student's parents/guardians a written notice summarizing the state's immunization requirements.  
  
The Superintendent or designee shall not unconditionally admit any student to a district school, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases:  (Health and Safety Code 120335; 17 CCR 6025)

1. Measles, mumps, and rubella
2. Diphtheria, tetanus, and pertussis (whooping cough)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease deemed appropriate by CDPH

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7.  (Health and Safety Code 120335)  
  
A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the district shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related services required by the student's  IEP regardless of whether the student is fully immunized.  (Health and Safety Code 120335)  
  
School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070.  The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR).  (17 CCR 6070)  
  
**Exemptions**  
  
Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary.  (Health and Safety Code 120372)  
     
   A student who has a medical exemption issued prior to January 1, 2020 shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above.  (Health and Safety Code 120370)  
     
   A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span.  (Health and Safety Code 120372)  
     
   If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below.  (Health and Safety Code 120372)  
     
   The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation.  (Health and Safety Code 120372, 120372.05)
2. The student's parent/guardian filed with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to the student's personal beliefs, in which case the student shall be exempted from the immunization until the student enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12).  (Health and Safety Code 120335)  
     
   When a student transfers to a different school within the district or transfers into the district from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.
3. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction.  (Health and Safety Code 120335)

**Conditional Enrollment**  
  
The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group, but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission.  The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035.  (Health and Safety Code 120340; 17 CCR 6035)  
  
In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered.  (17 CCR 6035)  
  
The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that the student is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)  
  
The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations.  If the student does not receive the required immunizations within the specified time limits, the student shall be excluded from further attendance until the immunizations are received.  (Health and Safety Code 120375; 17 CCR 6040, 6070)  
  
**Exclusions Due to Lack of Immunizations**  
  
If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any.  (Education Code 48216; 17 CCR 6040)  
  
The Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above.  The student shall remain excluded from school until documentation is provided indicating that the student has received a dose of each required vaccine due at that time.  (17 CCR 6040, 6055)  
  
The student shall also be reported to the attendance supervisor or principal.  
  
**Exclusion Due to Exposure to Disease**  
  
If the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease.  (Health and Safety Code 120370)  
  
**Records**  
  
Each student's immunization record shall be retained as part of the student's mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law.  (Health and Safety Code 120375, 120440; 17 CCR 6070)  
  
The district shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.  
  
At least annually, the Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH.  (Health and Safety Code 120375; 17 CCR 6075)  
  
**Audits**  
  
If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

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## AR  5141.6  - School Health Services    11/18

Types of Health Services

In accordance with student and community needs and available resources, school health services offered by the district may include, but are not limited to:

1. Health screenings, evaluations, and assessments of students' need for health services

2. Physical examinations, immunizations, and other preventive medical services

(cf. [5141.26](http://gamutonline.net/displayPolicy/635522/5) - Tuberculosis Testing)

(cf. [5141.3](http://gamutonline.net/displayPolicy/443035/5) - Health Examinations)

(cf. [5141.31](http://gamutonline.net/displayPolicy/443037/5) - Immunizations)

(cf. [5141.32](http://gamutonline.net/displayPolicy/1119506/5) - Health Screening for School Entry)

3. First aid and administration of medications

(cf. [5141.21](http://gamutonline.net/displayPolicy/910313/5) - Administering Medication and Monitoring Health Conditions)

4. Diagnosis and treatment of minor injuries and acute medical conditions

5. Management of chronic medical conditions

(cf. [5141.23](http://gamutonline.net/displayPolicy/571127/5) - Asthma Management)

6. Basic laboratory tests

7. Emergency response procedures

(cf. [5141](http://gamutonline.net/displayPolicy/443026/5) - Health Care and Emergencies)

8. Nutrition services

(cf. [3550](http://gamutonline.net/displayPolicy/442620/5) - Food Service/Child Nutrition Program)

(cf. [5030](http://gamutonline.net/displayPolicy/442952/5) - Student Wellness)

9. Oral health services that may include preventive services, basic restorative services, and referral to specialty services

The Superintendent or designee shall notify all parents/guardians of the opportunity pursuant to Health and Safety Code [104830](http://gamutonline.net/displayPolicy/589499/5)-104865 for their child to receive the topical application of fluoride, including fluoride varnish, or other decay-inhibiting agent to the teeth during the school year. Such application of fluoride or other decay-inhibiting agent shall only be provided to a student whose parent/guardian returns the notification with an indication consenting to the treatment. (Health and Safety Code [104830](http://gamutonline.net/displayPolicy/589499/5), 104850, 104855)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

10. Mental health services, which may include assessments, crisis intervention, counseling, treatment, and referral to a continuum of services including emergency psychiatric care, community support programs, inpatient care, and outpatient programs

(cf. [5141.52](http://gamutonline.net/displayPolicy/443044/5) - Suicide Prevention)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/5) - Counseling/Guidance Services)

11. Substance abuse prevention and intervention services

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [5131.62](http://gamutonline.net/displayPolicy/944043/5) - Tobacco)

(cf. [5131.63](http://gamutonline.net/displayPolicy/443013/5) - Steroids)

12. Vision and audiology services

13. Speech therapy

14. Occupational therapy

15. Physical therapy

16. Reproductive health services

(cf. [5141.25](http://gamutonline.net/displayPolicy/484487/5) - Availability of Condoms)

17. Specialized health care services for students with disabilities

(cf. [5141.24](http://gamutonline.net/displayPolicy/443033/5) - Specialized Health Care Services)

(cf. [6159](http://gamutonline.net/displayPolicy/443169/5) - Individualized Education Program)

18. Medical transportation

19. Targeted case management

20. Referrals and linkage to services not offered on-site

21. Public health and disease surveillance

22. Individual and family health education

23. School or districtwide health promotion

Medi-Cal Billing

In order to provide services as a Medi-Cal provider, the district shall enter into and maintain a contract with the California Department of Health Care Services (DHCS). (Welfare and Institutions Code [14132.06](http://gamutonline.net/displayPolicy/195109/5); 22 CCR [51051](http://gamutonline.net/displayPolicy/225066/5), [51270](http://gamutonline.net/displayPolicy/225075/5))

The Superintendent or designee shall ensure that all practitioners employed by or under contract with the district possess the appropriate license, certification, registration, or credential and provide only those services that are within their scope of practice. (22 CCR [51190.3](http://gamutonline.net/displayPolicy/225071/5), [51270](http://gamutonline.net/displayPolicy/225075/5), [51491](http://gamutonline.net/displayPolicy/225080/5))

The Superintendent or designee shall submit a claim for Medi-Cal reimbursement whenever the district provides a Medi-Cal-eligible student under age 22 and/or a member of the student's family a covered service specified in 22 CCR [51190.4](http://gamutonline.net/displayPolicy/225072/5) or [51360](http://gamutonline.net/displayPolicy/225079/5). (Welfare and Institutions Code [14132.06](http://gamutonline.net/displayPolicy/195109/5); 22 CCR [51096](http://gamutonline.net/displayPolicy/225067/5), [51098](http://gamutonline.net/displayPolicy/225068/5), [51190.1](http://gamutonline.net/displayPolicy/225069/5), [51190.4](http://gamutonline.net/displayPolicy/225072/5), [51309](http://gamutonline.net/displayPolicy/225076/5), [51360](http://gamutonline.net/displayPolicy/225079/5), [51535.5](http://gamutonline.net/displayPolicy/225081/5))

The district shall maintain records and supporting documentation including, but not limited to, records of the type and extent of services provided to a Medi-Cal beneficiary in accordance with law. (22 CCR [51270](http://gamutonline.net/displayPolicy/225075/5), 51476)

(cf. [3580](http://gamutonline.net/displayPolicy/442628/5) - District Records)

(cf. [5125](http://gamutonline.net/displayPolicy/991951/5) - Student Records)

Any federal funds received by the district as reimbursement for the costs of services under the Medi-Cal billing option shall be reinvested in approved services for students and their families. The Superintendent or designee shall consult with a local school-linked services collaborative group regarding decisions on reinvestment of federal funds. (22 CCR [51270](http://gamutonline.net/displayPolicy/225075/5))

The Superintendent or designee shall submit an annual report to DHCS to identify participants in the community collaborative, provide a financial summary including reinvestment expenditures, and describe service priorities for the future. (22 CCR [51270](http://gamutonline.net/displayPolicy/225075/5))

Medi-Cal Administrative Activities

The district shall apply for reimbursement for activities identified by DHCS which are related to the administration of the Medi-Cal program. Such activities include, but are not be limited to, outreach, translation for Medi-Cal services, facilitation of applications, arrangement of nonemergency and nonmedical transportation of eligible individuals, program planning and policy development, claims coordination and administration, training, and general administration.

Appropriate staff shall receive training in administrative claiming categories and related activities.

To receive reimbursement for Medi-Cal administrative activities, the Superintendent or designee shall, on a quarterly basis, submit an invoice to the local educational consortium or local governmental agency through which the district has contracted.

In addition, the Superintendent or designee shall submit to the local educational consortium or local governmental agency, and shall update each quarter, a roster of all employees who perform direct Medi-Cal services or administrative activities. When notified by the local educational consortium or local governmental agency of the date and time that a random-moment time survey must be conducted by a particular employee, the Superintendent or designee shall coordinate the completion and submission of the survey in accordance with DHCS timelines and procedures.

The Superintendent or designee shall maintain an audit file containing random-moment time survey documentation and other records specified by DHCS. Such documentation shall be kept for three years after the end of the quarter in which expenditures were incurred or, if an audit is in progress, until the completion of the audit.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 14, 2018 Dunsmuir, California

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## BP  5143  - Insurance    4/07

The Governing Board believes that all students should have health and accident insurance protection to ensure that they receive needed health care services in the event of illness or injury.

The Superintendent or designee shall provide information to students and their parents/guardians about available insurance against injuries occurring during school-related activities, which may include printed matter furnished by the insurer or membership corporation. Parents/guardians shall not be required to enroll their children in insurance programs offered by the district.

(

cf. [3530](http://gamutonline.net/displayPolicy/442608/5) - Risk Management/Insurance)

(cf. [3540](http://gamutonline.net/displayPolicy/442610/5) - Transportation)

(cf. [3543](http://gamutonline.net/displayPolicy/442619/5) - Transportation Safety and Emergencies)

(cf. [5141](http://gamutonline.net/displayPolicy/443026/5) - Health Care and Emergencies)

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/5) - Student Health and Social Services)

(cf. [6142.7](http://gamutonline.net/displayPolicy/443111/5) - Physical Education)

(cf. [6178](http://gamutonline.net/displayPolicy/767232/5) - Vocational Education)

(cf. [6178.1](http://gamutonline.net/displayPolicy/492655/5) - Work

Experience Education)

Athletic Teams

Each student participating on a school athletic team shall have insurance protection in the amounts specified in law and administrative regulation for medical and hospital expenses resulting from accidental bodily injury. (Education Code [32221](http://gamutonline.net/displayPolicy/131123/5))

(cf. [6145](http://gamutonline.net/displayPolicy/443124/5) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/5) - Athletic Competition)

If a student does not have insurance protection or a reasonable equivalent of health benefits through other means, including, but not limited to, purchase by the student or his/her parent/guardian, the district shall offer a medical or hospital service or insurance program. (Education Code [32221](http://gamutonline.net/displayPolicy/131123/5))

The cost of the insurance protection shall be paid by the parent/guardian of an athletic team member or other persons on the student's behalf.

However, if the parent/guardian is financially unable to pay the costs, the costs shall be paid by the district and/or student body organization. (Education Code [32221](http://gamutonline.net/displayPolicy/131123/5))

(cf. [3260](http://gamutonline.net/displayPolicy/944031/5) - Fees and Charges)

(cf. [3452](http://gamutonline.net/displayPolicy/460277/5) - Student Activity Funds)

Field Trips/Excursions

The district shall offer medical and/or hospital service or insurance protection for students injured while participating in any excursion or field trip under the jurisdiction of, sponsored by, or controlled by the district. (Education Code [35331](http://gamutonline.net/displayPolicy/131473/5))

(cf. [3541.1](http://gamutonline.net/displayPolicy/442613/5) - Transportation for School-Related Trips)

(cf. [6153](http://gamutonline.net/displayPolicy/443158/5) - School-Sponsored Trips)

Parents/guardians choosing to participate in the insurance program offered by the district shall pay the costs of the medical or hospital service or insurance protection.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: April 17, 2007 Dunsmuir, California

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# Discipline

## AR  5144 - Discipline    1/19

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|  | Status: ADOPTED |
|  | **Original Adopted Date:** 01/16/2019 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | see more |

**Site-Level Rules**  
  
  
Site-level rules shall be consistent with state law and Board policies and administrative regulations.  In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups:  (Education Code 35291.5)

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

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.  
  
School rules shall be communicated to students clearly and in an age-appropriate manner.  
  
It shall be the duty of each employee of the school to enforce the school rules on student discipline.  (Education Code 35291.5)  
  
**Disciplinary Strategies**  
  
  
To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when students' presence causes a danger to themselves or others or they commit a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff, the student, and the student's parents/guardians
2. Referral of the student to the school counselor or other school support service personnel for case management and counseling
3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and the student's parents/guardians
4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan
5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups
11. Recess restriction as provided in the section below entitled "Recess Restriction"
12. Detention after school hours as provided in the section below entitled "Detention After School"
13. Community service as provided in the section below entitled "Community Service"
14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities
15. Reassignment to an alternative educational environment
16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records.  (Education Code 48900.5)  
  
  
Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.  
  
When disciplining a student who has been identified for special education and related services, the procedures specified in Administrative Regulation 5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities) shall be applied. If a student has not been identified as a student with a disability and the district suspects the behavior that resulted in discipline may be based in an unidentified disability, the district shall conduct an evaluation to determine if the student has a disability which requires an IEP or 504 plan.  (U.S.C. 1412(a)(3))  
  
**Recess Restriction**  
  
  
Teachers may restrict a student's recess time only when they believe that this action is the most effective way to bring about improved behavior. When recess restriction involves the withholding of physical activity from a student, teachers shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

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

**Detention After School**  
  
Students may be detained for disciplinary reasons for up to one hour after the close of the maximum school day, or until the departure of the school bus to which they have been assigned if applicable.  (5 CCR 307, 353)  
  
  
The student shall not be detained unless the principal or designee notifies the parent/guardian.  
  
Students shall remain under the supervision of a certificated employee during the period of detention.  
  
  
Students may be offered the choice of serving their detention on Saturday rather than after school.  
  
**Community Service**  
  
As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may require a student to perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds.  Such service may include, but is not limited to, community or school outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs.  (Education Code 48900.6)  
  
  
This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915.  However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension.  (Education Code 48900.6)  
  
**Notice to Parents/Guardians and Students**  
  
At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline.  (Education Code 35291, 48980)  
  
The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

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## BP  5144.1 -  Suspension And Expulsion/Due Process   4/15/20

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|  | **Original Adopted Date:** 11/14/2018 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | see more |

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

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

*Expulsion*means removal of a student from the immediate supervision and control or the general supervision of school personnel.  (Education Code 48925)  
  
**Notice of Regulations**  
  
At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion.  (Education Code 35291, 48900.1, 48980)  
  
**Grounds for Suspension and Expulsion: Grades K-12**  
  
  
Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury  (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence  (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind  (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant  (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion  (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property  (Education Code 48900(f))
7. Stole or attempted to steal school property or private property  (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products  (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity  (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5  (Education Code 48900(j))
11. Knowingly received stolen school property or private property  (Education Code 48900(l))
12. Possessed an imitation firearm  (Education Code 48900(m))  
      
    *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.  (Education Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4  (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness  (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing  (Education Code 48900(q))  
      
    *Hazing*means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events.  (Education Code 48900(q))
17. Engaged in an act of bullying  (Education Code 48900(r))  
      
      
    *Bullying*means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.  (Education Code 48900(r))  
      
      
    *Bullying*includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.  
      
    *Bullying*also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.  
      
    *Electronic act* means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to:  (Education Code 48900(r))  
    1. A message, text, sound, video, or image
    2. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.  
         
       *Reasonable student* means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability.  (Education Code 48900(r))  
         
       *Burn page* means an internet web site created for the purpose of causing a reasonable student any of the effects of bullying described above.  (Education Code 48900(r))  
         
       *Credible impersonation* means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.  (Education Code 48900(r))  
         
       *False profile* means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile.  (Education Code 48900(r))  
         
       An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet.  (Education Code 48900(r))
18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31  (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property  (Education Code 48900.7)  
      
    *A terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of $1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying out the crime.  (Education Code 48900.7)

**Additional Grounds for Suspension and Expulsion: Grades 4-12**  
  
  
A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5  (Education Code 48900.2)  
     
   *Sexual harassment* means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.  (Education Code 212.5, 48900.2)
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233  (Education Code 48900.3)  
     
   *Hate violence*means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics.  (Education Code 233; Penal Code 422.55)
3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment.  (Education Code 48900.4)

**Additional Grounds for Suspension and Expulsion: Grades 9-12**  
  
  
Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.  (Education Code 48900(k))  
  
**Suspension from Class by a Teacher**  
  
  
A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level, including grades K-8.  (Education Code 48910)  
  
When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended.  (Education Code 48910)  
  
As soon as possible after the teacher decides to suspend the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests.  (Education Code 48910)  
  
A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee.  (Education Code 48910)  
  
A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended.  (Education Code 48910)  
  
A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school.  (Education Code 48910)  
  
The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal.  (Education Code 48913)  
  
**Suspension by Superintendent, Principal or Principal's Designee**  
  
To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.  
  
The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity away from school to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required.  (Education Code 48915(c))  
  
  
The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of Items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons.  (Education Code 48900.5)  
  
  
For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct.  (Education Code 48900.5)  
  
When other means of correction are implemented prior to imposing suspension upon a student,  including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record.  (Education Code 48900.5)  
  
**Length of Suspension**  
  
The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days.  (Education Code 48911)  
  
A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year.  (Education Code 48903, 48911, 48912)  
  
These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion.  (Education Code 48911)  
  
**Due Process Procedures for Suspension**  
  
  
Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense.  (Education Code 48911)  
     
   This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school for the conference.  (Education Code 48911)
2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. Notice to Parents/Guardians: At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension.  (Education Code 48911)  
     
   This notice shall state the specific offense committed by the student.  (Education Code 48900.8)
4. In addition, the notice may state the date and time when the student may return to school.
5. Parent/Guardian Conference: Whenever a student is suspended, school officials may conduct a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter.  (Education Code 48914)  
     
   If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference.  (Education Code 48911)
6. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed:  (Education Code 48911)  
   1. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
   2. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.
   3. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting.  (Education Code 48853.5, 48911, 48918.1)
   4. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students.  (Education Code 48918.1)
   5. In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school.

**Suspension by the Board**  
  
  
The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above.  (Education Code 48912)  
  
The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915.  (Education Code 48912.5)  
  
When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079.  (Education Code 35146, 48912)  
  
The Board shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session.  (Education Code 35146, 48912)  
  
**On-Campus Suspension**  
  
  
A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply:  (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student if an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing.  (Education Code 48911.1)  
  
**Superintendent or Principal's Authority to Recommend Expulsion**  
  
Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for:
   1. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
   2. The student's possession of over-the-counter medication for use by the student for medical purposes
   3. Medication prescribed for the student by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time.  (Education Code 48915)  
  
**Student's Right to Expulsion Hearing**  
  
  
Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation.  (Education Code 48918(a))  
  
The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion.  (Education Code 48918(a))  
  
If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held.  (Education Code 48918(a))  
  
If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year.  (Education Code 48918(a))  
  
Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay.  (Education Code 48918(a))  
  
**Stipulated Expulsion**  
  
  
After a determination that a student has committed an offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918 has been given.  
  
The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.  
  
A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Board.  
  
**Rights of Complaining Witness**  
  
  
An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness.  (Education Code 48918.5)  
  
Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to:  (Education Code 48918.5)

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending.  (Education Code 48918.5)  
  
**Written Notice of the Expulsion Hearing**  
  
  
Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment  
     
   This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).
5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser  
     
   Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.  
     
   Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.
6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

**Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students, and Indian Children**  
  
  
If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's' educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing.  (Education Code 48918.1)  
  
If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 calendar days prior to the hearing.  (Education Code 48918.1)  
  
Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call.  (Education Code 48918.1)  
  
**Conduct of Expulsion Hearing**

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated.  (Education Code 48918)
2. Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session.  (Education Code 48918(c))  
     
   If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television.  (Education Code 48918(c))
3. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.  (Education Code 48918(g))
4. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20.  (Education Code 48918(i))  
     
   Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding.  (Education Code 48918(i))  
     
   If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #6 below.  (Education Code 48918(i))
5. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above.  (Education Code 48918(h))
6. Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.  (Education Code 48918(f))  
     
   In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.
7. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student:  (Education Code 48918, 48918.5)  
   1. Any complaining witness shall be given five days' notice before being called to testify.
   2. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
   3. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
   4. The person presiding over the hearing may remove a support person who is disrupting the hearing.
   5. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
   6. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
   7. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.  
      1. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
      2. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
      3. The person conducting the hearing may:  
         1. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
         2. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
         3. Permit one of the support persons to accompany the complaining witness to the witness stand
8. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed.  (Education Code 48918(a))

**Alternative Expulsion Hearing: Hearing Officer or Administrative Panel**  
  
  
Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled.  (Education Code 48918)  
  
A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed.  (Education Code 48918(a) and (d))  
  
  
The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by the student's parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final.  (Education Code 48918(e))  
  
If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order.  (Education Code 48918(f))  
  
In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation.  (Education Code 48917, 48918)  
  
**Final Action by the Board**  
  
  
Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public.  (Education Code 48918(j))  
  
The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.  
  
  
Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred.  (Education Code 48916)  
  
At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include:  (Education Code 48916)

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

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school.  (Education Code 48916.5)  
  
**Written Notice to Expel**  
  
The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12"  (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian  (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board  (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion  (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1  (Education Code 48918)

**Decision to Suspend Expulsion Order**  
  
  
In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.  (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.  (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," or "Additional Grounds for Suspension and Expulsion: Grades 9-12" above or violates any of the district's rules and regulations governing student conduct.  (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.  (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.  (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b).  (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

**Appeal**  
  
If a student is expelled from school, the student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation.  (Education Code 48919)  
  
If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request.  (Education Code 48919)  
  
**Notification to Law Enforcement Authorities**  
  
  
Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245.  (Education Code 48902)  
  
The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10.  (Education Code 48902)  
  
Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind.  (Education Code 48902)  
  
**Placement During Expulsion**  
  
  
The Board shall refer expelled students to a program of study that is:  (Education Code 48915, 48915.01)

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in Items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and Items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school.  (Education Code 48915)  
  
The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12.  (Education Code 48916.1)  
  
**Readmission After Expulsion**  
  
  
Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees.  (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and the student's  parent/guardian, or other person holding the right to make educational decisions for the student, describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system.  (Education Code 48645.5)  
  
**Maintenance of Records**  
  
The district shall maintain a record of each suspension and expulsion, including its specific cause(s).  (Education Code 48900.8)  
  
Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school.  (Education Code 48918(k))  
  
  
The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district.  (Education Code 48915.1)

## AR  5144.1 -  Suspension And Expulsion/Due Process    4/15/20

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|  | **Original Adopted Date:** 11/14/2018 **| Last Revised Date:** 04/15/2020 **| Last Reviewed Date:** 04/15/2020 |  |

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

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel.  (Education Code 48925)  
  
**Notice of Regulations**  
  
At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion.  (Education Code 35291, 48900.1, 48980)  
  
**Grounds for Suspension and Expulsion:  Grades K-12**  
  
Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion:  Grades 4-12" and "Additional Grounds for Suspension and Expulsion:  Grades 9-12" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury  (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence  (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind  (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant  (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion  (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property  (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products  (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity  (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5  (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm  (Education Code 48900(m))  
      
    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.  (Education Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma  (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing  (Education Code 48900(q))  
      
    Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events.  (Education Code 48900(q))
17. Engaged in an act of bullying (Education Code 48900(r))  
      
    Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.  (Education Code 48900(r))  
      
    Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion:  Grades 4-12," that has any of the effects described above on a reasonable student.  
      
    Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.  
      
    Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to:  (Education Code 48900(r))  
    1. A message, text, sound, video, or image
    2. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.  
         
       Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability.  (Education Code 48900(r))
18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31  (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property  (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of $1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.  (Education Code 48900.7)  
  
**Additional Grounds for Suspension and Expulsion:  Grades 4-12**  
  
A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5  (Education Code 48900.2)  
     
   Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.  (Education Code 212.5, 48900.2)
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233  (Education Code 48900.3)  
     
   Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75.  Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics.  (Education Code 233; Penal Code 422.55)
3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment  (Education Code 48900.4)

**Additional Grounds for Suspension and Expulsion:  Grades 9-12**  
  
Any student in grades 9-12 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.  (Education Code 48900(k))  
  
**Suspension from Class by a Teacher**  
  
A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion:  Grades K-12" above or for disruption or willful defiance at any grade level, including grades K-8.  (Education Code 48910)  
  
When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action.  If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended.  (Education Code 48910)  
  
As soon as possible after the teacher decides to suspend the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension.  
  
A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests.  (Education Code 48910)  
  
A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee.  (Education Code 48910)  
  
A student suspended from class shall not be placed in another regular class during the period of suspension.  However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended.  (Education Code 48910)  
  
The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal.  (Education Code 48913)  
  
**Suspension by Superintendent, Principal or Principal's Designee**  
  
To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.  
  
The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required.  (Education Code 48915(c))  
  
The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion:  Grades K-12" above or if the student's presence causes a danger to persons.  (Education Code 48900.5)  
  
For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct.  (Education Code 48900.5)  
  
When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record.  (Education Code 48900.5)  
  
**Length of Suspension**  
  
The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days.  (Education Code 48911)  
  
A student may be suspended from school for not more than 20 school days in any school year.  However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year.  The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year.  (Education Code 48903, 48911, 48912)  
  
These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion.  (Education Code 48911)  
  
**Due Process Procedures for Suspension**  
  
Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference:  Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence.  (Education Code 48911)  
     
   This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school.  (Education Code 48911)
2. Administrative Actions:  All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.  (Education Code 48911)
3. Notice to Parents/Guardians:  At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension.  (Education Code 48911)  
     
   This notice shall state the specific offense committed by the student.  (Education Code 48900.8)  
     
   In addition, the notice may state the date and time when the student may return to school.
4. Parent/Guardian Conference:  Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter.  (Education Code 48914)  
     
   If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference.  (Education Code 48911)
5. Extension of Suspension:  If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed:  (Education Code 48911)  
   ​​​​​​​
   1. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
   2. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.  (Education Code 48911)
   3. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting.  (Education Code 48853.5, 48911, 48918.1)
   4. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students.  (Education Code 48918.1)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school.  
  
**Suspension by the Board**  
  
The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion:  Grades K-12," "Additional Grounds for Suspension and Expulsion:  Grades 4-12," and "Additional Grounds for Suspension and Expulsion:  Grades 9-12" above and within the limits specified under "Suspension by Superintendent, Principal, or Designee" above.  (Education Code 48912)  
  
The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915.  (Education Code 48912.5)  
  
When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079.  (Education Code 35146, 48912)  
  
The Board shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session.  (Education Code 35146, 48912)  
  
**On-Campus Suspension**  
  
A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply:  (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification may be made in writing.  (Education Code 48911.1)  
  
**Superintendent or Principal's Authority to Recommend Expulsion**  
  
Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal shall recommend a student's expulsion for any of the following acts:  (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication or other medication prescribed by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time.  (Education Code 48915)  
  
**Student's Right to Expulsion Hearing**  
  
Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation.  (Education Code 48918(a))  
  
The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion.  (Education Code 48918(a))  
  
If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held.  (Education Code 48918(a))  
  
If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year.  (Education Code 48918(a))  
  
Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay.  (Education Code 48918(a))  
  
**Stipulated Expulsion**  
  
After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions.  The offer shall be made only after the student or parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.  
  
The stipulation agreement shall be in writing and shall be signed by the student and parent/guardian.  The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.  
  
A stipulated expulsion agreed to by the student and parent/guardian shall be effective upon approval by the Board.  
  
**Rights of Complaining Witness**  
  
An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness.  (Education Code 48918.5)  
  
Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to:  (Education Code 48918.5)

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending.  (Education Code 48918.5)  
  
**Written Notice of the Expulsion Hearing**  
  
Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include:  (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment  
     
   This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).
5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser  
     
   Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.  
     
   Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.
6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

**Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students**  
  
If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing.  (Education Code 48918.1)  
  
If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing.  (Education Code 48918.1)  
  
Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call.  (Education Code 48918.1)  
  
**Conduct of Expulsion Hearing**

1. Closed Session:  Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated.  (Education Code 48918)  
     
   Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session.  (Education Code 48918(c))  
     
   If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television.  (Education Code 48918(c))
2. Record of Hearing:  A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.  (Education Code 48918(g))
3. Subpoenas:  Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20.  (Education Code 48918(i))  
     
   Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding.  (Education Code 48918(i))  
     
   If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below.  (Education Code 48918(i))
4. Presentation of Evidence:  Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs.  The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion:  Grades K-12," "Additional Grounds for Suspension and Expulsion:  Grades 4-12," and "Additional Grounds for Suspension and Expulsion:  Grades 9-12" above.  (Education Code 48918(h))  
     
   Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.  (Education Code 48918(f))  
     
   In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.
5. Testimony by Complaining Witnesses:  The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student:  (Education Code 48918, 48918.5)  
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   1. Any complaining witness shall be given five days' notice before being called to testify.
   2. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
   3. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
   4. The person presiding over the hearing may remove a support person who is disrupting the hearing.
   5. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
   6. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
   7. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.  
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      1. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
      2. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
      3. The person conducting the hearing may:  
         ​​​​​​​
         1. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
         2. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
         3. Permit one of the support persons to accompany the complaining witness to the witness stand  
            ​​​​​​​
6. Decision:  The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed.  (Education Code 48918(a))

**Alternative Expulsion Hearing:  Hearing Officer or Administrative Panel**  
  
Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled.  (Education Code 48918)  
  
A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed.  (Education Code 48918(a) and (d))  
  
The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian.  Before the student's placement decision is made by the student's parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final.  (Education Code 48918(e))  
  
If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order.  (Education Code 48918(f))  
  
In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation.  (Education Code 48917, 48918)  
  
**Final Action by the Board**  
  
Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public.  (Education Code 48918(j))  
  
The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately.  If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.  
  
Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis.  For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred.  (Education Code 48916)  
  
At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include:  (Education Code 48916)

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

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school.  (Education Code 48916.5)  
  
**Written Notice to Expel**  
  
The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian.  This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion:  Grades K-12," "Additional Grounds for Suspension and Expulsion:  Grades 4-12," or "Additional Grounds for Suspension and Expulsion:  Grades 9-12"  (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian  (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board  (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion  (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1  (Education Code 48918)

**Decision to Suspend Expulsion Order**  
  
In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program.  (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.  (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion:  Grades K-12," "Additional Grounds for Suspension and Expulsion:  Grades 4-12," or "Additional Grounds for Suspension and Expulsion:  Grades 9-12" above or violates any of the district's rules and regulations governing student conduct.  (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.  (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school.  Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.  (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b).  (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board.  (Education Code 48917)

**Appeal**  
  
The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board.  The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation.  (Education Code 48919)  
  
If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request.  (Education Code 48919)  
  
**Notification to Law Enforcement Authorities**  
  
Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245.  (Education Code 48902)  
  
The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10.  (Education Code 48902)  
  
Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind.  (Education Code 48902)  
  
**Placement During Expulsion**  
  
The Board shall refer expelled students to a program of study that is:  (Education Code 48915, 48915.01)

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

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion:  Grades K-12" and items #1-3 under "Additional Grounds for Suspension and Expulsion:  Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school.  (Education Code 48915)  
  
The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12.  (Education Code 48916.1)  
  
**Readmission After Expulsion**  
  
Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met.  School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees.  (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.  (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system.  (Education Code 48645.5)  
  
**Maintenance of Records**  
  
The district shall maintain a record of each suspension and expulsion, including its specific cause(s).  (Education Code 48900.8)  
  
Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school.  (Education Code 48918(k))  
  
The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district.  (Education Code 48915.1)

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## AR  5144.2 - Suspension And Expulsion/Due Process (Students With Disabilities)    7/12

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.  
  
Suspension or expulsion of a student with disabilities shall be in accordance with Board Policy 5144.1 - Suspension and Expulsion/Due Process and this administrative regulation.  
  
When a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team shall consider positive behavioral interventions and supports, and other strategies, to address the behavior.  (Education Code 56521.2; 20 USC 1414)  
  
**Suspension**  
  
  
The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 cumulative school days in a school year as long as the pattern of suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536.  (Education Code 48903; 34 CFR 300.530)  
  
The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from the student's current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under either of the following circumstances:  (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:  
   1. The series of removals total more than 10 school days in a school year
   2. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals
   3. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another

If a student's removal is determined to be a change of placement as specified in Items #1-2 above, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in the student's IEP, and to address the student's behavior violation so that it does not recur.  (20 USC 1412(a)(1)(A); 34 CFR 300.530)  
  
If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to the student or the student's parent/guardian when, as a result of a suspension, the student is excluded from school bus transportation.  (Education Code 48915.5)  
  
  
The principal or designee shall monitor the number of days, including portions of days, in which a student with an IEP has been suspended during the school year.  
  
**Interim Alternative Educational Placement Due to Dangerous Behavior**  
  
  
The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function:  (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by the student's IEP team.  (20 USC 1415(k)(1)(G); 34 CFR 300.531)  
  
  
On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504.  (20 USC 1415(k)(1)(H); 34 CFR 300.530)  
  
A student who has been removed from the student's current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow the student to participate in the general education curriculum and to progress toward meeting the goals set out in the IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.  (20 USC 1415(k)(1)(D); 34 CFR 300.530)  
  
**Manifestation Determination**  
  
  
The following procedural safeguards shall apply when a student with a disability is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504.  If the student is a foster youth, the notice shall be given to the student's educational rights holder, attorney, and county social worker, and, if the student is an Indian child, the student's tribal social worker and, if applicable, county social worker.  (Education Code 48853.5; 20 USC 1415(k)(1)(H); 34 CFR 300.530)
2. Manifestation Determination Review:  Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action.  (20 USC 1415(k)(1)(E); 34 CFR 300.530)  
     
   If the student is a foster youth or Indian child, the foster youth's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, shall be invited to participate in the manifestation determination review.  (Education Code 48915.5)  
     
   At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following:  (20 USC 1415(k)(1)(E); 34 CFR 300.530)  
   1. Caused by or had a direct and substantial relationship to the student's disability
   2. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies  
        
      If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of the student's disability.  (20 USC 1415(k)(1)(E); 34 CFR 300.530)
3. Determination that Behavior is a Manifestation of the Student's Disability:  When the student's conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior.  (20 USC 1415(k)(1)(F); 34 CFR 300.530)  
     
   The student shall be returned to the placement from which the student was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan.  (20 USC 1415(k)(1)(F); 34 CFR 300.530)
4. Determination that Behavior is Not a Manifestation of the Student's Disability: When it has been determined that the student's conduct was not a manifestation of the disability, the student may be disciplined in accordance with the procedures for students without disabilities. However, the student's IEP team shall determine services necessary to enable the student to participate in the general education curriculum in another setting and to allow the student to progress toward meeting the goals set out in the IEP.  (20 USC 1415(k)(1)(D); 34 CFR 300.530)  
     
   As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.  (20 USC 1415(k)(1)(D); 34 CFR 300.530)

**Due Process Appeals**  
  
  
If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances), 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), the parent/guardian may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b).  (20 USC 1415(k)(3); 34 CFR 300.532)  
  
  
Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.  
  
If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise.  (20 USC 1415(k)(4); 34 CFR 300.533)  
  
**Readmission**  
  
  
Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.  
  
**Decision Not to Enforce Expulsion Order**  
  
  
The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students.  (Education Code 48917)  
  
**Notification to Law Enforcement Authorities**  
  
  
Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in AR 5144.1 - Suspension and Expulsion/Due Process.  
  
When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that the student's information or records will not be disclosed to any other person without the prior written consent of the student's parent/guardian.  (Education Code 49076)  
  
**Report to County Superintendent of Schools**  
  
  
The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action.  (Education Code 48203)  
  
**Procedures for Students Not Yet Eligible for Special Education Services**  
  
A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability.  (20 USC 1415(k)(5); 34 CFR 300.534)  
  
*Knowledge*means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred:  (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311
3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed the student to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that the student was not an individual with a disability.  (20 USC 1415(k)(5); 34 CFR 300.534)  
  
When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior.  (20 USC 1415(k)(5); 34 CFR 300.534)  
  
If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner.  Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities.  (20 USC 1415(k)(5); 34 CFR 300.534)

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## BP 5145.7 - Sexual Harassment 11/2020

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|  | **Original Adopted Date:** 09/14/2016 **| Last Revised Date:** 11/18/2020 **| Last Reviewed Date:** 11/18/2020 | see more |

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment 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 students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.  
  
Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 - Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 - Uniform Complaint Procedures, as applicable.  Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.  
  
The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.  
  
The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks.  All district staff shall be trained regarding the policy.  
  
**Instruction/Information**  
  
The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when 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 action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive 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

**Disciplinary Actions**  
  
Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, 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 be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.  
  
**Record-Keeping**  
  
In accordance with law and district policies and regulations, 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.

adopted: 11/2020 Dunsmuir, California

## AR 5145.7 - Sexual Harassment 11/20

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|  | **Original Adopted Date:** 09/14/2016 **| Last Revised Date:** 11/18/2020 **| Last Reviewed Date:** 11/18/2020 |  |

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

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

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.  
  
For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent:  (34 CFR 106.30, 106.44)

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

**Examples of Sexual Harassment**  
  
Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

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

**Title IX Coordinator/Compliance Officer**  
  
The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee investigate, and/or resolve sexual harassment complaints processed under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator(s) may be contacted at:

Ray Kellar, Superintendent/Principal  
5805 High School Way  
Dunsmuir, CA 96025  
530-235-4835  
[rkellar@dunsmuirhigh.k12.ca.us](mailto:rkellar@dunsmuirhigh.k12.ca.us)

**Notifications**  
  
The Superintendent or designee shall notify students and parents/guardians that the district does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education.  (34 CFR 106.8)  
  
The district shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator.  (34 CFR 106.8)  
  
A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year  (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted  (Education Code 231.5)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school.  The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school.  (Education Code 231.6)
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.  (Education Code 234.6; 34 CFR 106.8)
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session  (Education Code 231.5)
6. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
7. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.  (Education Code 234.6)  
  
**Reporting Complaints**  
  
A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator.  The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.  
  
When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.  
  
When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures.  
  
**Complaint Procedures**  
  
All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures.  The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint.  All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.  Other sexual harassment complaints shall be investigated and resolved pursuant to BP/AR 1312.3 - Uniform Complaint Procedures.  
  
If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

approved: 11/2020 Dunsmuir, California

## AR  5145.8  - Refusal To Harm Or Destroy Animals    9/10

Any student who has a moral objection to dissecting or otherwise harming or destroying animals shall have the right to refrain from participating in instruction which involves such activities and shall not be discriminated against because of a decision to exercise this right. (Education Code [32255.1](http://gamutonline.net/displayPolicy/131143/5))

(cf. [5145.2](http://gamutonline.net/displayPolicy/443065/5) - Freedom of Speech/Expression)

(cf. [6142.93](http://gamutonline.net/displayPolicy/443119/5) - Science Instruction)

The right to refrain from instruction involving harmful or destructive use of animals shall apply to all 9-12 courses, except classes and activities conducted as part of agricultural education that provide instruction on the care, management, and evaluation of domestic animals. (Education Code [32255.5](http://gamutonline.net/displayPolicy/131146/5), [32255.6](http://gamutonline.net/displayPolicy/131147/5))

At the beginning of each academic year, the Superintendent or designee shall notify parents/guardians, in writing, of students' right to refrain from instruction involving the harmful or destructive use of animals. (Education Code [48980](http://gamutonline.net/displayPolicy/226041/5))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

In addition, each teacher of a course that uses live or dead animals or animal parts shall inform students of their right to refrain from the harmful or destructive use of animals. (Education Code [32255.4](http://gamutonline.net/displayPolicy/131145/5))

A student who wishes to refrain from such instruction shall notify the teacher and shall provide a note from his/her parent/guardian substantiating the objection. (Education Code [32255.1](http://gamutonline.net/displayPolicy/131143/5))

If the teacher believes an adequate alternative project is possible, he/she may work with the student to develop and agree upon an alternative project which would provide the knowledge, information, or experience required by the course of study. Alternative projects include, but are not limited to, the use of video recordings, models, films, books, and computers. The alternative project shall involve time and effort by the student comparable to that required by the original project. (Education Code [32255](http://gamutonline.net/displayPolicy/131142/5), [32255.1](http://gamutonline.net/displayPolicy/131143/5))

A teacher's determination of whether the student may pursue an alternative project or be excused from the project shall not be arbitrary or capricious. (Education Code [32255.3](http://gamutonline.net/displayPolicy/131144/5))

In order to receive course credit, students who participate in an alternative project shall pass all course examinations. Students may request an alternative test, however, if a regular examination requires the harmful or destructive use of animals. (Education Code [32255.1](http://gamutonline.net/displayPolicy/131143/5))

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: September 8, 2010 Dunsmuir, California

## BP  5146  - Married/Pregnant/Parenting Students    1/19

The Governing Board recognizes that responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/5) - Chronic Absence and Truancy)

(cf. [5147](http://gamutonline.net/displayPolicy/443077/5) - Dropout Prevention)

(cf. [6011](http://gamutonline.net/displayPolicy/443083/5) - Academic Standards)

(cf. [6164.5](http://gamutonline.net/displayPolicy/443215/5) - Student Success Teams)

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (Education Code 221.51, [230](http://gamutonline.net/displayPolicy/128867/5); 5 CCR [4950](http://gamutonline.net/displayPolicy/187054/5); 34 CFR [106.40](http://gamutonline.net/displayPolicy/274457/5))

(cf. [0410](http://gamutonline.net/displayPolicy/442456/5) - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, [48980](http://gamutonline.net/displayPolicy/226041/5))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/5) - Parental Notifications)

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code [7002](http://gamutonline.net/displayPolicy/140490/5))

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

(cf. [6158](http://gamutonline.net/displayPolicy/991961/5) - Independent Study)

(cf. [6181](http://gamutonline.net/displayPolicy/443241/5) - Alternative Schools/Programs of Choice)

(cf. [6184](http://gamutonline.net/displayPolicy/944055/5) - Continuation Education)

(cf. [6200](http://gamutonline.net/displayPolicy/443254/5) - Adult Education)

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR [4950](http://gamutonline.net/displayPolicy/187054/5))

If required for students with any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular education program or activity. (Education Code 221.51; 5 CCR [4950](http://gamutonline.net/displayPolicy/187054/5); 34 CFR [106.40](http://gamutonline.net/displayPolicy/274457/5))

(cf. [6142.7](http://gamutonline.net/displayPolicy/443111/5) - Physical Education and Activity)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/5) - Extracurricular and Cocurricular Activities)

(cf. [6183](http://gamutonline.net/displayPolicy/443245/5) - Home and Hospital Instruction)

To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

(cf. [5148](http://gamutonline.net/displayPolicy/443078/5) - Child Care and Development)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code [49553](http://gamutonline.net/displayPolicy/138817/5), 42 USC [1786](http://gamutonline.net/displayPolicy/371182/5), and 7 CFR 246.1-246.28

(cf. [3550](http://gamutonline.net/displayPolicy/442620/5) - Food Service/Child Nutrition Program)

(cf. [5030](http://gamutonline.net/displayPolicy/442952/5) - Student Wellness)

4. Health care services, including prenatal care

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/5) - School Health Services)

5. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. [5131.6](http://gamutonline.net/displayPolicy/443008/5) - Alcohol and Other Drugs)

(cf. [5131.62](http://gamutonline.net/displayPolicy/944043/5) - Tobacco)

6. Academic and personal counseling

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/5) - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. [6179](http://gamutonline.net/displayPolicy/910327/5) - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. [4131](http://gamutonline.net/displayPolicy/910308/5) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/5) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/5) - Staff Development)

Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code [48205](http://gamutonline.net/displayPolicy/138126/5))

(cf. [5113](http://gamutonline.net/displayPolicy/442969/5) - Absences and Excuses)

Parental Leave

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR [106.40](http://gamutonline.net/displayPolicy/274457/5))

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

(cf. [5113.11](http://gamutonline.net/displayPolicy/1095004/5) - Attendance Supervision)

Following the leave, a pregnant or parenting student may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/5) - High School Graduation Requirements)

(cf. [6146.11](http://gamutonline.net/displayPolicy/443141/5) - Alternative Credits Toward Graduation)

(cf. [6146.2](http://gamutonline.net/displayPolicy/443143/5) - Certificate of Proficiency/High School Equivalency)

Accommodations

When necessary, the district shall provide accommodations to enable a pregnant or parenting student to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR [106.40](http://gamutonline.net/displayPolicy/274457/5))

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code [222](http://gamutonline.net/displayPolicy/1040625/5))

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child

2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk

3. Access to a power source for a breast pump or any other equipment used to express breast milk

4. Access to a place to store expressed breast milk safely

5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, district noncompliance with the requirements of Education Code 46015, or district noncompliance with the requirement to provide reasonable accommodations for lactating students shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR [4600](http://gamutonline.net/displayPolicy/187020/5)-[4670](http://gamutonline.net/displayPolicy/187039/5) and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code [222](http://gamutonline.net/displayPolicy/1040625/5), 46015; 5 CCR [4600](http://gamutonline.net/displayPolicy/187020/5)- 4670)

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/5) - Uniform Complaint Procedures)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

(cf. [0500](http://gamutonline.net/displayPolicy/442472/5) - Accountability)

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/5) - Student Assessment)

(cf. [6190](http://gamutonline.net/displayPolicy/443252/5) - Evaluation of the Instructional Program)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: January 16, 2019 Dunsmuir, California

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## BP  6020 - Parent Involvement    6/17/20

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| --- | --- | --- |
|  | **Original Adopted Date:** 11/21/2017 **| Last Revised Date:** 06/17/2020 **| Last Reviewed Date:** 06/17/2020 |  |

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with parents/guardians and family members to jointly develop and agree upon policy and strategies to meaningfully involve parents/guardians and family members in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.  
  
Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.  
  
The district's local control and accountability plan (LCAP) shall include goals and strategies for parent/guardian involvement and family engagement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities.  (Education Code 42238.02, 52060)  
  
The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.  
  
**Title I Schools**  
  
The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members.  (Education Code 11503; 20 USC 6318)  
  
When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities.  (20 USC 6318)  
  
Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:  (20 USC 6318)

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

If the district also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV.  (20 USC 6318)  
  
The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's LCAP in accordance with 20 USC 6312.  (20 USC 6318)  
  
The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.  
  
District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.  (20 USC 6318)  
  
**Non-Title I Schools**  
  
The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502.  (Education Code 11504)

## AR  6020 - Parent Involvement   6/17/20

|  |  |  |
| --- | --- | --- |
|  | **Original Adopted Date:** 11/21/2017 **| Last Revised Date:** 06/17/2020 **| Last Reviewed Date:** 06/17/2020 |  |

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

1. Involve parents/guardians and family members in the joint development of a district plan that meets the requirements of 20 USC 6312 and in the development of school support and improvement plans pursuant to 20 USC 6311  (20 USC 6318)  
     
   The Superintendent or designee may:  
   1. In accordance with Education Code 52063, establish a district-level parent advisory committee and, as applicable, an English learner parent advisory committee to review and comment on the district's local control and accountability plan (LCAP) in accordance with the review schedule established by the Governing Board
   2. Invite input on the plan from other district committees and school site councils
   3. Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the plan and the opportunity to provide input
   4. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
   5. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
   6. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318)  
     
   The Superintendent or designee may:  
   1. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
   2. Identify funding and other resources, including community resources and services, that may be used to strengthen district and school parent/guardian and family engagement programs
   3. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist in facilitating the planning and implementation of related activities
   4. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements
   5. Provide information to schools about the indicators and assessment tools that will be used to monitor progress
3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws  (20 USC 6318)  
     
   The Superintendent or designee may:  
   1. Identify overlapping or similar program requirements
   2. Involve district and school site representatives from other programs to assist in identifying specific population needs
   3. Schedule joint meetings with representatives from related programs and share data and information across programs
   4. Develop a cohesive, coordinated plan focused on student needs and shared goals
4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of:  (20 USC 6318)  
   ​​​​​​​
   1. Barriers to greater participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background  
      ​​​​​​​
   2. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers
   3. Strategies to support successful school and family interactions

The Superintendent or designee may:

1. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
2. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged
3. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement efforts on student achievement  
     
   The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request.  (Education Code 11503)

1. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy  (20 USC 6318)  
     
   The Superintendent or designee may:  
   ​​​​​​​
   1. Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians
   2. Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups
   3. With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the Board for consideration  
      ​​​​​​​
2. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy  (20 USC 6318)  
     
   The Superintendent or designee may:  
   ​​​​​​​
   1. Include information about school activities in district communications to parents/guardians and family members
   2. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members
   3. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

In addition, the district shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in item #7 of the section "School-Level Policies for Title I Schools" below.  (20 USC 6318)  
  
**School-Level Policies for Title I Schools**  
  
At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. The school policy shall describe the means by which the school will:  (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314  
     
   The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.
4. Provide the parents/guardians of participating students all of the following:  
   ​​​​​​​
   1. Timely information about Title I programs
   2. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the state academic standards
   3. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education.  The district shall respond to any such suggestions as soon as practicably possible.  
      ​​​​​​​
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards  
     
   This compact shall address:  
   ​​​​​​​
   1. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging academic achievement standards
   2. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time
   3. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:  
      ​​​​​​​
      1. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
      2. Frequent reports to parents/guardians on their children's progress
      3. Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
      4. Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand  
         ​​​​​​​
7. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:  
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   1. Assist parents/guardians in understanding such topics as the state academic standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children
   2. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement
   3. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools
   4. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education
   5. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
   6. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

In addition, the school plan may include strategies to:

1. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
2. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training
3. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
4. Train parents/guardians to enhance the involvement of other parents/guardians
5. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation
6. Adopt and implement model approaches to improving parent/guardian involvement
7. Establish a parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
8. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities
9. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families
10. Provide a master calendar of district/school activities and meetings
11. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, web site, or other written or electronic means
12. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions
13. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed
14. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
15. Provide ongoing workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops
16. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement
17. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

1. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements.  (20 USC 6318)  
  
Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy.  Such evaluation may be conducted during the process of reviewing the school plan for student achievement in accordance with Education Code 64001.  
  
The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school.  (20 USC 6318)  
  
**District Strategies for Non-Title I Schools**  
  
For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to increase their knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible members of society  (Education Code 11502, 11504)  
     
   The Superintendent or designee may:  
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   1. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
   2. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
   3. Provide parents/guardians with information about students' class assignments and homework assignments  
      ​​​​​​​
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home  (Education Code 11502, 11504)  
     
   The Superintendent or designee may:  
   ​​​​​​​
   1. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits
   2. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
   3. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees  
      ​​​​​​​
3. Build consistent and effective two-way communication between the home and school so that parents/guardians and family members may know when and how to assist their children in support of classroom learning activities  (Education Code 11502, 11504)  
     
   The Superintendent or designee may:  
   ​​​​​​​
   1. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
   2. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
   3. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
   4. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
   5. Develop mechanisms to encourage parent/guardian input on district and school issues
   6. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
   7. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care

1. Train teachers, administrators, specialized instructional support personnel, and other staff to communicate effectively with parents/guardians as equal partners (Education Code 11502, 11504)  
     
   The Superintendent or designee may:  
   ​​​​​​​
   1. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
   2. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications  
      ​​​​​​​
2. Integrate and coordinate parent/guardian and family engagement activities within the LCAP with other activities  
     
   The Superintendent or designee may:  
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   1. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives
   2. Involve parents/guardians and family members in school planning processes

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# Instruction

## BP  6142.2  World/Foreign Language Instruction    8/19

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop communicative and cultural proficiency and literacy in one or more world languages.

The Superintendent or designee shall recommend a variety of world languages to be taught in the district's educational program based on student interest, community needs, and available resources.

For any program designed to provide students with instruction in a language other than English to a degree sufficient to produce proficiency in that language, the Superintendent or designee shall establish a process for schools to receive and respond to input from parents/guardians and other stakeholders regarding the non-English language in which instruction will be provided. (5 CCR [11300](http://gamutonline.net/displayPolicy/264262/6), 11312)

If American Sign Language courses are offered, they shall be open to all students regardless of hearing status.

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

(cf. [6011](http://gamutonline.net/displayPolicy/443083/6) - Academic Standards)

(cf. [6141](http://gamutonline.net/displayPolicy/443096/6) - Curriculum Development and Evaluation)

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code [51220](http://gamutonline.net/displayPolicy/132666/6))

(cf. [6143](http://gamutonline.net/displayPolicy/443120/6) - Courses of Study)

The district may establish a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. (Education Code [305](http://gamutonline.net/displayPolicy/1007213/6)-[306](http://gamutonline.net/displayPolicy/1007214/6))

(cf. [6174](http://gamutonline.net/displayPolicy/443227/6) - Education for English Learners)

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. [1240](http://gamutonline.net/displayPolicy/442500/6) - Volunteer Assistance)

(cf. [6161.1](http://gamutonline.net/displayPolicy/443179/6) - Selection and Evaluation of Instructional Materials)

(cf. [6161.11](http://gamutonline.net/displayPolicy/443181/6) - Supplementary Instructional Materials)

(cf. [6163.1](http://gamutonline.net/displayPolicy/944054/6)- Library Media Centers)

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards, including communicative and cultural proficiency and understanding.

(cf. [4131](http://gamutonline.net/displayPolicy/910308/6) - Staff Development)

Students shall obtain credit toward high school graduation requirements for completing one year of a world language or American Sign Language course during grades 9-12.

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/6) - High School Graduation Requirements)

(cf. [6146.11](http://gamutonline.net/displayPolicy/443141/6) - Alternative Credits Toward Graduation)

The district shall determine appropriate measures to assess student proficiency in world languages offered by district schools. Students who have attained a high level of proficiency may receive recognition for their achievement, including the State Seal of Biliteracy for students graduating from high school.

(cf. [5126](http://gamutonline.net/displayPolicy/442997/6) - Awards for Achievement)

The Superintendent or designee shall provide periodic reports to the Board regarding the effectiveness of the district's world language program which may include, but not be limited to, whether the district's world language program is serving the grade levels required by law, a description of the district's curriculum and the extent to which it is aligned with the state's content standards and curriculum framework, student achievement of district standards for world language instruction, and student participation rates in each language course. Program evaluation shall be used to identify needed improvements and may be considered in determining the world languages to be taught in the district.

(cf. [0500](http://gamutonline.net/displayPolicy/442472/6) - Accountability)

(cf. [6190](http://gamutonline.net/displayPolicy/443252/6) - Evaluation of the Instructional Program)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: August 14, 2019 Dunsmuir, California

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## BP 6145 - Extra and C0-Curricular Activates 6/17

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

*(cf. 1330 - Use of School Facilities)*

*(cf. 5137 - Positive School Climate)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 5148.2 - Before/After School Programs)*

Prerequisites for student participation in extracurricular and cocurricular activities shall be limited to those that have been demonstrated to be essential to the success of the activity. No extracurricular or cocurricular program or activity shall be provided or conducted separately on the basis of any actual or perceived characteristic listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular or cocurricular activity be required or refused on those bases. (5 CCR 4925)

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

Any complaint alleging unlawful discrimination in the district's extracurricular or cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

Unless specifically authorized by law, no student shall be charged a fee for his/her participation in educational activities, including extracurricular and cocurricular activities and materials or equipment related to such activities. (Education Code 49010, 49011)

*(cf. 3260 - Fees and Charges)*

*(cf. 3452 - Student Activity Funds)*

**Eligibility Requirements**

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes

2. Maintenance of minimum progress toward meeting high school graduation requirements

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 6146.1 - High School Graduation Requirements)*

The Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation. (Education Code 35160.5)

Any decision regarding the eligibility of a homeless student, foster youth,or child of an active duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code 48850 and 49701.

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

*(cf. 6173.2 - Education of Children of Military Families)*

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

**Student Conduct at Extracurricular/Cocurricular Events**

When attending or participating in extracurricular and cocurricular activities on or off campus, district students are subject to district policies and regulations relating to student conduct. Students who violate district policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. When appropriate, the Superintendent or designee shall notify local law enforcement.

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

**Annual Policy Review**

The Board shall annually review this policy and implementing regulations. (Education Code 35160.5)

Policy CSBA MANUAL MAINTENANCE SERVICE

adopted: June 14, 2017 May 2017

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## AR  6145   Extracurricular And Co-curricular Activities    7/12

Definitions

For purposes of applying eligibility criteria for student participation, extracurricular and cocurricular activities shall be defined as follows: (Education Code [35160.5](http://gamutonline.net/displayPolicy/133166/6))

1. Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit, do not take place during classroom time, and have all of the following characteristics:

a. The program is supervised or financed by the school district.

b. Students participating in the program represent the school district.

c. Students exercise some degree of freedom in the selection, planning, or control of the program.

d. The program includes both preparation for performance and performance before an audience or spectators.

2. Cocurricular activities are programs that may be associated with the curriculum in a regular classroom.

An activity is not an extracurricular or cocurricular activity if either of the following conditions applies: (Education Code [35160.5](http://gamutonline.net/displayPolicy/133166/6))

1. It is a teacher-graded or required program or activity for a course which satisfies the entrance requirements for admission to the California State University or the University of California.

(cf. [6143](http://gamutonline.net/displayPolicy/443120/6) - Courses of Study)

2. It is a program that has as its primary goal the improvement of academic or educational achievement of students.

Eligibility Requirements

The grade point average (GPA) used to determine eligibility for extracurricular and cocurricular activities shall be based on grades of the last previous grading period during which the student attended class at least a majority of the time. If a student was not in attendance for all, or a majority of, the grading period due to absences excused by the school for reasons such as serious illness or injury, approved travel, or work, the GPA used to determine eligibility shall be the grading period immediately prior to the excluded grading period(s). (Education Code [35160.5](http://gamutonline.net/displayPolicy/133166/6))

(cf. [5113](http://gamutonline.net/displayPolicy/442969/6) - Absences and Excuses)

When a student becomes ineligible to participate in extracurricular or cocurricular activities in the upcoming grading period, or when he/she is subject to probation, the principal or designee shall provide written notice to the student and his/her parent/guardian.

Supervision

All extracurricular activities conducted under the name or auspices of a district school or any class or organization of the school, regardless of where the activities are held, shall be under the direct supervision of certificated employees. (5 CCR [5531](http://gamutonline.net/displayPolicy/187063/6))

Any noncertificated person working with students in a district-sponsored extracurricular student activity program shall possess an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing or shall have cleared a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning his/her duties, in accordance with BP 4127/4227/4327 - Temporary Athletic Team Coaches. (Education Code [49024](http://gamutonline.net/displayPolicy/600918/6))

(cf. [1240](http://gamutonline.net/displayPolicy/442500/6) - Volunteer Assistance)

(cf. [4127](http://gamutonline.net/displayPolicy/442798/6)/[4227](http://gamutonline.net/displayPolicy/442799/6)/[4327](http://gamutonline.net/displayPolicy/442800/6) - Temporary Athletic Team Coaches)

(cf. [4212.5](http://gamutonline.net/displayPolicy/442917/6) - Criminal Record Check)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: July 9, 2012 Dunsmuir, California

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## BP  6145.2  - Athletic Competition    11/18

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The district's athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. [3541.1](http://gamutonline.net/displayPolicy/442613/6) - Transportation for School-Related Trips)

(cf. [5030](http://gamutonline.net/displayPolicy/442952/6) - Student Wellness)

(cf. [5137](http://gamutonline.net/displayPolicy/443024/6) - Positive School Climate)

(cf. [6142.7](http://gamutonline.net/displayPolicy/443111/6) - Physical Education and Activity)

(cf. [7110](http://gamutonline.net/displayPolicy/443258/6) - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

(cf. [4127](http://gamutonline.net/displayPolicy/442798/6)/[4227](http://gamutonline.net/displayPolicy/442799/6)/[4327](http://gamutonline.net/displayPolicy/442800/6) - Temporary Athletic Team Coaches)

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)

(cf. [1321](http://gamutonline.net/displayPolicy/442516/6) - Solicitation of Funds from and by Students)

(cf. [1325](http://gamutonline.net/displayPolicy/442518/6) - Advertising and Promotion)

(cf. [1700](http://gamutonline.net/displayPolicy/442528/6) - Relations Between Private Industry and the Schools)

(cf. [3290](http://gamutonline.net/displayPolicy/442554/6) - Gifts, Grants and Bequests)

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, and that students are permitted to participate in athletic activities consistent with their gender identity.

(cf. [0410](http://gamutonline.net/displayPolicy/442456/6) - Nondiscrimination in District Programs and Activities)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/6) - Nondiscrimination/Harassment)

(cf. [5145.7](http://gamutonline.net/displayPolicy/443070/6) - Sexual Harassment)

Any complaint alleging discrimination in the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/6) - Uniform Complaint Procedures)

California Interscholastic Federation

Any district school that participates in the California Interscholastic Federation (CIF) shall conduct its athletic activities in accordance with CIF bylaws and rules and any applicable district policy and regulation. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

The Board shall annually designate a representative to the local CIF league from each school that participates in CIF sports. The Superintendent or designee shall recommend a candidate for the position who demonstrates an understanding of the district's goals for student learning and interscholastic activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and interpersonal communication and leadership skills.

The designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and report regularly to the Board on league, section, and statewide issues related to athletic programs.

(cf. [0500](http://gamutonline.net/displayPolicy/442472/6) - Accountability)

Student Eligibility

Eligibility requirements for student participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement, shall be the same as those set by the district for participation in extracurricular and cocurricular activities.

(cf. [3530](http://gamutonline.net/displayPolicy/442608/6) - Risk Management/Insurance)

(cf. [5111.1](http://gamutonline.net/displayPolicy/1084406/6) - District Residency)

(cf. [5121](http://gamutonline.net/displayPolicy/442984/6) - Grades/Evaluation of Student Achievement)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/6) - Extracurricular and Cocurricular Activities)

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/6) - High School Graduation Requirements)

(cf. [6173](http://gamutonline.net/displayPolicy/443223/6) - Education for Homeless Children)

(cf. [6173.1](http://gamutonline.net/displayPolicy/910323/6) - Education for Foster Youth)

(cf. [6173.2](http://gamutonline.net/displayPolicy/607779/6) - Education of Children of Military Families)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.

(cf. [3260](http://gamutonline.net/displayPolicy/944031/6) - Fees and Charges)

(cf. [5143](http://gamutonline.net/displayPolicy/443052/6) - Insurance)

Sportsmanship

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Code of Ethics adopted by CIF.

Students and staff shall be subject to disciplinary action for improper conduct.

(cf. [3515.2](http://gamutonline.net/displayPolicy/442590/6) - Disruptions)

(cf. [4118](http://gamutonline.net/displayPolicy/991942/6) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](http://gamutonline.net/displayPolicy/442923/6) - Dismissal/Suspension/Disciplinary Action)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/6) - Conduct)

(cf. [5131.1](http://gamutonline.net/displayPolicy/443002/6) - Bus Conduct)

(cf. [5131.4](http://gamutonline.net/displayPolicy/443005/6) - Student Disturbances)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/6) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/6) - Suspension and Expulsion/Due Process)

(cf. [5144.2](http://gamutonline.net/displayPolicy/443059/6) - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. [5131.61](http://gamutonline.net/displayPolicy/443010/6) - Drug Testing)

(cf. [5131.63](http://gamutonline.net/displayPolicy/443013/6) - Steroids)

(cf. [5141.3](http://gamutonline.net/displayPolicy/443035/6) - Health Examinations)

(cf. [5141.6](http://gamutonline.net/displayPolicy/443046/6) - School Health Services)

(cf. 5141.7 - Sun Safety)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. [5142](http://gamutonline.net/displayPolicy/443048/6) - Safety)

The Superintendent or designee shall develop a written emergency action plan that describes the location of automated external defibrillator(s) and procedures to be followed in the event of sudden cardiac arrest or other medical emergency related to the athletic program's activities or events. The plan shall be posted in accordance with guidelines of the National Federation of State High School Associations. (Education Code 35179.4)

In the event of a serious injury or a perceived imminent risk to a student's health during or immediately after an athletic activity, the coach or any other district employee who is present shall remove the student athlete from the activity, observe universal precautions in handling blood or other bodily fluid, and/or seek medical treatment for the student as appropriate.

(cf. [4119.42](http://gamutonline.net/displayPolicy/442780/6)/[4219.42](http://gamutonline.net/displayPolicy/442781/6)/[4319.42](http://gamutonline.net/displayPolicy/442782/6) - Exposure Control Plan for Bloodborne Pathogens)

(cf. [4119.43](http://gamutonline.net/displayPolicy/442789/6)/[4219.43](http://gamutonline.net/displayPolicy/442790/6)/[4319.43](http://gamutonline.net/displayPolicy/442791/6) - Universal Precautions)

(cf. [5141](http://gamutonline.net/displayPolicy/443026/6) - Health Care and Emergencies)

(cf. [5141.21](http://gamutonline.net/displayPolicy/910313/6) - Administering Medication and Monitoring Health Conditions)

(cf. [5141.22](http://gamutonline.net/displayPolicy/443031/6) - Infectious Diseases)

Whenever a serious injury or illness is suffered by a student athlete, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury or illness suffered by the student and any actions taken to treat the student.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 14, 2018 Dunsmuir, California

## AR  6145.2  - Athletic Competition    8/19

Nondiscrimination and Equivalent Opportunities in the Athletic Program

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of any actual or perceived characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities. (Education Code [220](http://gamutonline.net/displayPolicy/138763/6), [221.5](http://gamutonline.net/displayPolicy/935378/6), [230](http://gamutonline.net/displayPolicy/128867/6) 5 CCR [4920](http://gamutonline.net/displayPolicy/187048/6), 34 CFR [106.41](http://gamutonline.net/displayPolicy/191240/6))

(cf. [0410](http://gamutonline.net/displayPolicy/442456/6) - Nondiscrimination in District Programs and Activities)

(cf. [5145.3](http://gamutonline.net/displayPolicy/443067/6) - Nondiscrimination/Harassment)

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR [4921](http://gamutonline.net/displayPolicy/187049/6); 34 CFR [106.41](http://gamutonline.net/displayPolicy/191240/6))

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with the student's gender identity, irrespective of the gender listed on the student's records, for which the student is otherwise eligible to participate. (Education Code [221.5](http://gamutonline.net/displayPolicy/935378/6))

(cf. [5125](http://gamutonline.net/displayPolicy/991951/6) - Student Records)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR [4921](http://gamutonline.net/displayPolicy/187049/6); 34 CFR [106.41](http://gamutonline.net/displayPolicy/191240/6))

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR [4922](http://gamutonline.net/displayPolicy/187050/6); 34 CFR [106.41](http://gamutonline.net/displayPolicy/191240/6))

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests: (Education Code [230](http://gamutonline.net/displayPolicy/128867/6))

a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments

b. Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex

c. Where the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #1b above, whether the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program

2. The provision and maintenance of equipment and supplies

3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices

4. Travel and per diem allowances

5. Opportunities to receive coaching and academic tutoring

6. Assignment and compensation of coaches and tutors

7. Provision of locker rooms, practice facilities, and competitive facilities

8. Provision of medical and training facilities and services

9. Provision of housing and dining facilities and services

10. Publicity

11. Provision of necessary funds

Each school that offers competitive athletics shall, at the end of the school year, post on its school web site, or on the district web site if the school does not have a web site, the following information: (Education Code [221.9](http://gamutonline.net/displayPolicy/1006994/6))

1. The total enrollment of the school, classified by gender

2. The number of students enrolled at the school who participate in competitive athletics, classified by gender

3. The number of boys' and girls' teams, classified by sport and by competition level

(cf. [1113](http://gamutonline.net/displayPolicy/442491/6) - District and School Web Sites)

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site. (Education Code [221.9](http://gamutonline.net/displayPolicy/1006994/6))

(cf. [3580](http://gamutonline.net/displayPolicy/442628/6) - District Records)

Concussions and Head Injuries

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student initiates practice or competition. (Education Code [49475](http://gamutonline.net/displayPolicy/1006981/6))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/6) - Parental Notifications)

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response. (Education Code [35179.1](http://gamutonline.net/displayPolicy/138066/6), [49032](http://gamutonline.net/displayPolicy/388039/6))

(cf. [4127](http://gamutonline.net/displayPolicy/442798/6)/[4227](http://gamutonline.net/displayPolicy/442799/6)/[4327](http://gamutonline.net/displayPolicy/442800/6) - Temporary Athletic Team Coaches)

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the student sustained a concussion or a head injury, the student shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider. (Education Code [49475](http://gamutonline.net/displayPolicy/1006981/6))

A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, full-contact practice means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game. (Education Code [35179.5](http://gamutonline.net/displayPolicy/1006980/6))

Heat Illness

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the signs and symptoms of, and the appropriate response to, heat illness, including heat cramps, heat syncope, heat exhaustion, and exertional heat stroke. (Education Code [35179.1](http://gamutonline.net/displayPolicy/138066/6), [49032](http://gamutonline.net/displayPolicy/388039/6))

To assist in the prevention of heat illness, coaches and/or athletic trainers shall gradually increase the intensity and duration of exercise to acclimate student athletes to practice in the heat, provide adequate rest breaks, make water available during all athletic activities, and alter practice plans in extreme environmental conditions.

Sudden Cardiac Arrest

The Superintendent or designee shall distribute the California Interscholastic Federation (CIF) information sheet on sudden cardiac arrest to all student athletes who will be participating in a CIF-governed athletic activity and to their parents/guardians. The student and parent/guardian shall sign and return the information sheet prior to the student's participation in the athletic activity. If an athletic activity is not covered by CIF, the student and parent/guardian shall, prior to the student's participation in the athletic activity, sign and return an acknowledgement that they have received and reviewed the sudden cardiac arrest information posted on the California Department of Education's web site. (Education Code [33479.2](http://gamutonline.net/displayPolicy/1076883/6), [33479.3](http://gamutonline.net/displayPolicy/1076884/6))

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the nature and warning signs of sudden cardiac arrest. (Education Code [33479.6](http://gamutonline.net/displayPolicy/1076887/6), [33479.7](http://gamutonline.net/displayPolicy/1076888/6), [35179.1](http://gamutonline.net/displayPolicy/138066/6), [49032](http://gamutonline.net/displayPolicy/388039/6))

If a student athlete passes out or faints, or is known to have passed out or fainted, while participating in or immediately following participation in an athletic activity, the student shall be removed from participation at that time. If a student exhibits any other symptoms of sudden cardiac arrest, including seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue, the student may be removed from participation by a coach or other employee who observes these symptoms. If any such symptoms are observed, notification shall be given to the student's parent/guardian so that the parent/guardian can determine the treatment, if any, the student should seek. A student who has been removed from participation shall not be permitted to return until the student is evaluated and given written clearance to return to participation by a health care provider. (Education Code [33479.2](http://gamutonline.net/displayPolicy/1076883/6), [33479.5](http://gamutonline.net/displayPolicy/1076886/6))

Automated External Defibrillators

The Superintendent or designee shall acquire at least one automated external defibrillator (AED) for each district school and shall make the AED(s) available to coaches, athletic trainers, and/or other authorized persons at athletic activities or events for the purpose of providing emergency care or treatment to students, spectators, and other individuals in attendance at athletic activities and events. (Education Code 35179.6)

(cf. [5141](http://gamutonline.net/displayPolicy/443026/6) - Health Care and Emergencies)

The district shall comply with all requirements of Health and Safety Code [1797.196](http://gamutonline.net/displayPolicy/369680/6) pertaining to any AED acquired by the district, including, but not limited to, regular maintenance and testing of the AED and the provision and posting of information regarding the proper use of the AED. (Education Code 35179.6; Health and Safety Code [1797.196](http://gamutonline.net/displayPolicy/369680/6))

Additional Notifications

Before students participate in practice or competition as part of interscholastic athletic activities, the Superintendent or designee shall, in addition to providing the students and their parents/guardians with the notices described above, send a notice to the students and their parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/6) - Uniform Complaint Procedures)

2. Includes a copy of students' Title IX rights pursuant to Education Code [221.8](http://gamutonline.net/displayPolicy/1015911/6)

3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. [3530](http://gamutonline.net/displayPolicy/442608/6) - Risk Management/Insurance)

4. Provides information about insurance protection pursuant to Education Code [32221.5](http://gamutonline.net/displayPolicy/420804/6)

(cf. [5143](http://gamutonline.net/displayPolicy/443052/6) - Insurance)

5. Requests parental permission for the student to participate in the program and, if appropriate, to be transported by the district to and from competitions

(cf. [3541.1](http://gamutonline.net/displayPolicy/442613/6) - Transportation for School-Related Trips)

6. States the district's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. [5144](http://gamutonline.net/displayPolicy/944044/6) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/6) - Suspension and Expulsion/Due Process)

7. Includes a copy of the local CIF league rules

8. Includes information about the CIF bylaw and district policy requiring any student athlete and the student's parent/guardian to sign a statement that the student will not use steroids, unless prescribed by a licensed health care practitioner, and will not use prohibited dietary supplements that include substances banned by the U.S. Anti-Doping Agency

(cf. [5131.63](http://gamutonline.net/displayPolicy/443013/6) - Steroids)

9. Includes the opioid fact sheet published by the Centers for Disease Control and Prevention in accordance with Education Code 49476. The district shall provide this fact sheet annually to each student athlete and shall require the student and the student's parent/guardian to sign a document acknowledging receipt of the fact sheet.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: August 14, 2019 Dunsmuir, California

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## BP  6146.1 - High School Graduation Requirements    1/21

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|  |  |
|  | **Original Adopted Date:** 06/12/2019 **| Last Revised Date:** 01/13/2021 |  |

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.  
  
**Course Requirements**  
  
To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English  (Education Code 51225.3)
2. Three courses in mathematics  (Education Code 51225.3)  
     
   At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12.  (Education Code 51224.5)
3. Three courses in science, including biological and physical sciences  (Education Code 51225.3)
4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics  (Education Code 51225.3)
5. One course in visual or performing arts, world language, or career technical education (CTE).  For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language.  (Education Code 51225.3)  
     
   To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.  (Education Code 51225.3)
6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code  (Education Code 51225.3)
7. Forthy (40) hours of Community Service.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.  
  
**Exemptions from District-Adopted Graduation Requirements**  
  
District students are required to complete graduation course requirements specified above, including the requirements imposed by Education Code 51225.3 and those adopted by the Board. However, a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers into the district or between district schools any time after completing the second year of high school, or a newly arrived immigrant student who is in the third or fourth year of high school and is participating in a newcomer program, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school. Within 30 days of the transfer or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible student of the availability of the exemption and whether the student qualifies for it.  (Education Code 51225.1)  
  
**Retroactive Diplomas**  
  
Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma.  (Education Code 51413)  
  
In addition, the district may retroactively grant high school diplomas to former students who:  (Education Code 48204.4, 51430, 51440)

1. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars. Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.
2. Are veterans who entered the military service of the United States while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school
3. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis

**Honorary Diplomas**  
  
The Board may grant an honorary high school diploma to:  (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district
2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district.  (Education Code 51225.5)  
  
 adopted: 2/2021 Dunsmuir, California

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## BP  6152.1  - Placement In Mathematics Courses    11/18

The Governing Board believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or fulfilling careers. District students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

(cf. [6141.5](http://gamutonline.net/displayPolicy/944049/6) - Advanced Placement)

(cf. [6142.92](http://gamutonline.net/displayPolicy/944050/6) - Mathematics Instruction)

(cf. [6143](http://gamutonline.net/displayPolicy/443120/6) - Courses of Study)

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/6) - High School Graduation Requirements)

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop a well-articulated sequence of mathematics courses and consistent protocols for placing students in mathematics courses offered at district high schools.

Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, statewide mathematics assessments, including state interim and summative assessments; placement tests that are aligned to state-adopted content standards in mathematics; classroom assignment and grades; and report cards. (Education Code [51224.7](http://gamutonline.net/displayPolicy/1020557/6))

(cf. [5121](http://gamutonline.net/displayPolicy/442984/6) - Grades/Evaluation of Student Achievement)

(cf. [6011](http://gamutonline.net/displayPolicy/443083/6) - Academic Standards)

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/6) - Student Assessment)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/6) - State Academic Achievement Tests)

District staff shall implement the placement protocols uniformly and without regard to students' socioeconomic background or any characteristic specified in BP 0410 - Nondiscrimination in District Programs and Activities, including, but not limited to, race, sex, gender, nationality, and ethnicity.

(cf. [0410](http://gamutonline.net/displayPolicy/442456/6) - Nondiscrimination in District Programs and Activities)

(cf. [0415](http://gamutonline.net/displayPolicy/1119502/6) - Equity)

(cf. [6174](http://gamutonline.net/displayPolicy/443227/6) - Education for English Learners)

The placement protocols shall provide for at least one reevaluation within the first month of the school year to ensure that students are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

If a student or parent/guardian questions the student's placement, he/she may appeal the decision to the Superintendent or designee. The decision of the Superintendent or designee shall be final.

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

(cf. [4131](http://gamutonline.net/displayPolicy/910308/6) - Staff Development)

The Board and the Superintendent or designee shall annually review student data related to placement in mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not being held back in a disproportionate manner on the basis of any subjective or discriminatory basis, and shall develop strategies for removing any identified barriers to students' access to mathematics courses. The Superintendent or designee shall also report on the percentage of district students who have successfully completed mathematics courses that satisfy the requirements for entrance to the University of California and the California State University.

(cf. [0460](http://gamutonline.net/displayPolicy/890963/6) - Local Control and Accountability Plan)

(cf. [0500](http://gamutonline.net/displayPolicy/442472/6) - Accountability)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 14, 2018 Dunsmuir, California

## 

## AR  6152.1  - Placement In Mathematics Courses    11/18

Placement Protocols

In determining student placement in mathematics courses for students entering grade 9, the Superintendent or designee shall assess whether each student has the prerequisite skills for success in the course and consider student and parent/guardian requests. Such determinations shall be based on multiple measures, including, but not limited to, the following:

1. Interim and summative grade 8 mathematics assessments from the California Assessment of Student Performance and Progress

2. For students with disabilities, an alternate test or other measures when designated in a student's individualized education program (IEP)

3. Other assessments such as Measures of Academic Progress, the readiness tests of the University of California's Mathematics Diagnosis Testing Project, and/or district benchmark assessments

4. The student's grades in his/her previous mathematics course

5. The final mathematics grade on the end-of-year report card

(cf. [5121](http://gamutonline.net/displayPolicy/442984/6) - Grades/Evaluation of Student Achievement)

(cf. [6142.92](http://gamutonline.net/displayPolicy/944050/6) - Mathematics Instruction)

(cf. [6143](http://gamutonline.net/displayPolicy/443120/6) - Courses of Study)

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/6) - Student Assessment)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/6) - State Academic Achievement Tests)

Individual student performance data shall be analyzed each spring prior to scheduling and placing students into secondary mathematics courses. Students and parents/guardians shall be notified in writing by the end of the school year as to the mathematics course in which the student has been placed.

No student shall be required to repeat a mathematics course which he/she has successfully completed in accordance with district's placement protocols.

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

Students who exhibit deficits in knowledge and skills needed to advance to a higher level mathematics course may receive supplemental instruction to improve achievement of mathematic content standards.

(cf. [6011](http://gamutonline.net/displayPolicy/443083/6) - Academic Standards)

(cf. [6179](http://gamutonline.net/displayPolicy/910327/6) - Supplemental Instruction)

Reevaluation

Within the first month of the school year, mathematics course placements shall be individually reevaluated to ensure placement in the most rigorous mathematics course for which the student has the potential for success.

Criteria for reevaluating each student's placement shall include, but are not limited to, course preassessment results, attendance, and student performance in the first month of the school year as determined by teacher observation and grades on assignments and tests. Student and parent/guardian request for course placement may also be considered.

Notification of Placement Protocol

The district's policy and protocols related to student placement in mathematics courses shall be posted on the district's web site. (Education Code [51224.7](http://gamutonline.net/displayPolicy/1020557/6))

(cf. [1113](http://gamutonline.net/displayPolicy/442491/6) - District and School Web Sites)

The Superintendent or designee shall also make the district's placement policy, protocols, and course sequence readily accessible to students, parents/guardians, and staff at school sites and/or in student handbooks.

Appeals

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

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: November 14, 2018 Dunsmuir, California

## BP  6153  - School-Sponsored Trips    11/17

The Governing Board recognizes that field trips supplement and enrich the classroom learning experience, lead to increased student achievement, and foster student engagement. The Board encourages field trips to reinforce and increase learning opportunities and to enhance district programs.

(cf. [0460](http://gamutonline.net/displayPolicy/890963/6) - Local Control and Accountability Plan)

Field trips shall be conducted in connection with the district's course of study or school-related social, educational, cultural, athletic, school band, or other extracurricular or cocurricular activities. A field trip to a foreign country may be permitted to familiarize students with the language, history, geography, natural science, and other studies relative to the district's course of study. (Education Code [35330](http://gamutonline.net/displayPolicy/131472/6))

(cf. [6143](http://gamutonline.net/displayPolicy/443120/6) - Courses of Study)

(cf. [6145](http://gamutonline.net/displayPolicy/443124/6) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](http://gamutonline.net/displayPolicy/443126/6) - Athletic Competition)

Requests for field trips involving out-of-state, out-of-country, or overnight travel shall be submitted to the Superintendent or designee. The Superintendent or designee shall review the request and make a recommendation to the Board as to whether the request should be approved by the Board. All other field trips shall be approved in advance by the principal.

(cf. [3312.2](http://gamutonline.net/displayPolicy/442559/6) - Educational Travel Program Contracts)

The principal shall establish a process for approving a staff member's request to conduct a field trip. When planning trips, staff shall consider student safety, objectives of instruction, the most effective use of instructional time, the distance from school, district and student expense, and transportation and supervision requirements. Principals may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.

(cf. [3530](http://gamutonline.net/displayPolicy/442608/6) - Risk Management/Insurance)

(cf. [3541.1](http://gamutonline.net/displayPolicy/442613/6) - Transportation for School-Related Trips)

(cf. [5142](http://gamutonline.net/displayPolicy/443048/6) - Safety)

(cf. [5143](http://gamutonline.net/displayPolicy/443052/6) - Insurance)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/6) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/991958/6) - Suspension and Expulsion/Due Process)

No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The Superintendent or designee shall coordinate with community groups to supply funds for students in need. (Education Code [35330](http://gamutonline.net/displayPolicy/131472/6))

(cf. [1230](http://gamutonline.net/displayPolicy/442498/6) - School-Connected Organizations)

(cf. [1321](http://gamutonline.net/displayPolicy/442516/6) - Solicitation of Funds from and by Students)

(cf. [1700](http://gamutonline.net/displayPolicy/442528/6) - Relations Between Private Industry and the Schools)

The Board may approve the use of district funds for student expenses for in-state, out-of-state, or out-of-country field trips or excursions when permitted by law. In addition, expenses of instructors, chaperones, and other personnel participating in such trips, as well as incidental expenses for the use of district equipment during the trip, may be paid from district funds. (Education Code [35330](http://gamutonline.net/displayPolicy/131472/6))

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 21, 2017 Dunsmuir, California

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## AR 6153 - School-Sponsored Trips 4/18

Supervision

Students on school-sponsored trips are under the jurisdiction of the district and shall be subject to district and school rules and regulations.

(cf. [5131](http://gamutonline.net/displayPolicy/443000/index.html) - Conduct)

(cf. [5131.1](http://gamutonline.net/displayPolicy/443002/index.html) - Bus Conduct)

(cf. [5144](http://gamutonline.net/displayPolicy/443055/index.html) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/443057/index.html) - Suspension and Expulsion/Due Process)

The Superintendent or designee shall ensure that adequate supervision is provided on all school-sponsored trips and that there is an appropriate ratio of adults to students present on the trip. If the trip involves water activities, this ratio shall be revised as necessary.

No Student will attend a school sponsored field trip if failing any class as of most recent grade check.

Parent/Guardian Permission

Before a student can participate in a school-sponsored trip, the teacher shall obtain parent/guardian permission for the trip. Whenever a trip involves water activities, the parent/guardian shall provide specific permission for his/her child to participate in the water activities. The district shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip.

All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents/guardians of students taking out-of-state field trips or excursions shall sign a statement waiving such claims. (Education Code [35330](http://gamutonline.net/displayPolicy/131472/index.html))

Safety Issues

1. While conducting a trip, the teacher, employee, or agent of the school shall have the school's first aid kit in his/her possession or immediately available. (Education Code [32041](http://gamutonline.net/displayPolicy/131109/index.html))

Whenever trips are conducted in areas known to be infested with poisonous snakes, the first aid kit taken on the trip shall contain medically accepted snakebite remedies. In addition, a teacher, employee, or agent of the school who has completed a first aid course which is certified by the American Red Cross and which emphasizes the treatment of snakebites shall participate in the trip. (Education Code [32043](http://gamutonline.net/displayPolicy/131110/index.html))

2. The district shall provide or make available medical and/or hospital insurance for students injured while participating in any excursion or field trip. (Education Code [35331](http://gamutonline.net/displayPolicy/131473/index.html))

(cf. [3541.1](http://gamutonline.net/displayPolicy/442613/index.html) - Transportation for School-Related Trips)

(cf. [5143](http://gamutonline.net/displayPolicy/443052/index.html) - Insurance)

3. If the Superintendent or designee receives threat level warnings from the Homeland Security Advisory System pertaining to the destination of a school-sponsored trip, he/she shall implement precautions necessary to protect the safety of students and staff.

(cf. [0450](http://gamutonline.net/displayPolicy/442470/index.html) - Comprehensive Safety Plan)

(cf. [3516](http://gamutonline.net/displayPolicy/442602/index.html) - Emergencies and Disaster Preparedness Plan)

4. Lifeguards are required for all swimming activities. If the activity is at a private pool, the owner of the pool shall provide a certificate of insurance, designating the district as an additional insured, for not less than $500,000 in liability coverage. Staff shall determine supervisory responsibilities for all chaperones.

(cf. [3530](http://gamutonline.net/displayPolicy/442608/index.html) - Risk Management/Insurance)

(cf. 5141.7 - Sun Safety)

5. Before trips of more than one day, the principal or designee may hold a meeting for staff, chaperones, parents/guardians, and students to discuss safety and the importance of safety-related rules for the trip.

(cf. [5142](http://gamutonline.net/displayPolicy/443048/index.html) - Safety)

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: April 18, 2018 Dunsmuir, California

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## AR  6159  - Individualized Education Program    8/20

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|  | **Original Adopted Date:** 07/09/2012 **| Last Revised Date:** 08/12/2020 **| Last Reviewed Date:** 08/12/2020 |  |

At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction.  The IEP shall be a written statement that is developed, reviewed, and revised by the IEP team to meet the unique educational needs of a student with a disability.  (Education Code 56344, 56345; 34 CFR 300.320, 300.323)  
  
**Members of the IEP Team**  
  
Unless excused by written agreement in accordance with Education Code 56341, the IEP team for any student with a disability shall include the following members:  (Education Code 56341, 56341.5; 20 USC 1414; 34 CFR 300.321)

1. One or both of the student's parents/guardians and/or a representative selected by them  
     
   To the extent permitted by federal law, a foster parent shall have the same rights relative to a foster child's IEP as a parent/guardian.  (Education Code 56055)
2. If the student is or may be participating in the general education program, at least one of the student's general education teachers designated by the Superintendent or designee to represent the student's general education teachers  
     
   The general education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of appropriate positive behavioral interventions, supports, and other strategies for the student, and supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320.  (Education Code 56341; 20 USC 1414; 34 CFR 300.324)
3. At least one of the student's special education teachers or, where appropriate, special education providers
4. A representative of the district who is:  
   1. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
   2. Knowledgeable about the general education curriculum
   3. Knowledgeable about the availability of district resources
5. An individual who can interpret the instructional implications of assessment results  
     
   This individual may already be a member of the team as described in items #2-4 above or in item #6 below.
6. At the discretion of the parent/guardian or the Superintendent or designee, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate  
     
   The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team.
7. Whenever appropriate, the student with a disability  
     
   In the development, review, or revision of the IEP, the student shall be allowed to provide confidential input to any representative of the IEP team.  (Education Code 56341.5)
8. When the student is suspected of having a specific learning disability, at least one individual who is qualified to conduct individual diagnostic examinations of the student such as a school psychologist, speech language pathologist, or remedial reading teacher

In accordance with 34 CFR 300.310, at least one team member other than the student's general education teacher shall observe the student's academic performance and behavior in the areas of difficulty in the student's learning environment, including in the regular classroom setting.  If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.  
  
In the following circumstances, the Superintendent or designee shall invite other specified individuals to an IEP team meeting:

1. When the student has been placed in a group home by the juvenile court, a representative of the group home shall be invited to attend IEP team meetings.  (Education Code 56341.2)
2. Whenever the IEP team is meeting to consider the student's postsecondary goals and the transition services needed to assist the student in reaching the goals, the following individuals shall be invited to attend:  (34 CFR 300.321)  
   1. The student, regardless of the student's age  
        
      If the student does not attend the IEP team meeting, the Superintendent or designee shall take other steps to ensure that the student's preferences and interests are considered.
   2. To the extent appropriate, and with the consent of the parent/guardian or adult student, a representative of any other agency that is likely to be responsible for providing or paying for the transition services
3. If the student was previously served under the Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), and upon request of the student's parent/guardian, the Superintendent or designee shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services.  (Education Code 56341; 20 USC 1414; 34 CFR 300.321)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting.  Even if the meeting involves a discussion of the IEP team member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the district consent to the excusal after conferring with the member and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting.  (Education Code 56341; 20 USC 1414; 34 CFR 300.321)  
  
**Contents of the IEP**  
  
The IEP shall include, but not be limited to, all of the following:  (Education Code 56345, 56345.1; 20 USC 1414; 34 CFR 300.320)

1. A statement of the present levels of the student's academic achievement and functional performance, including:  
   1. The manner in which the disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
   2. For a preschool student, as appropriate, the manner in which the disability affects the student's participation in appropriate activities
   3. For a student with a disability who takes alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives
2. A statement of measurable annual goals, including academic and functional goals, designed to:  
   1. Meet the student's needs that result from the disability in order to enable the student to be involved in and make progress in the general education curriculum
   2. Meet each of the student's other educational needs that result from the disability
3. A description of the manner in which the student's progress toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards
4. A statement of the special education instruction and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:  
   1. Advance appropriately toward attaining the annual goals
   2. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
   3. Be educated and participate with other students with disabilities and nondisabled students in the activities described in the IEP
5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in the IEP
6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments  
     
   If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, the student's IEP also shall include a statement of the reason that the student cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate.
7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications
8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:  
   1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
   2. The transition services, including courses of study, needed to assist the student in reaching those goals
9. A description of the means by which the IEP will be provided under emergency conditions, as described in Education Code 46392, in which instruction and/or services cannot be provided to the student either at the school or in person for more than 10 school days. The description shall take into account public health orders and shall include special education and related services, supplementary aids and services, transition services, and extended school year services.
10. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of the rights, if any, that will transfer to the student upon reaching age 18, pursuant to Education Code 56041.5
11. For a student in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed proficiency standards required for graduation
12. For a student whose native language is not English, linguistically appropriate goals, objectives, programs, and services
13. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)
14. If the student is to be transferred from a special class or nonpublic, nonsectarian school into a general education program in a public school for any part of the school day, provision for transition into the general education program including descriptions of activities intended to:  
    1. Integrate the student into the general education program, including the nature of each activity and the time spent on the activity each day or week
    2. Support the transition of the student from the special education program into the general education program
15. For a student with low incidence disabilities, specialized services, materials, and equipment consistent with the guidelines pursuant to Education Code 56136

To assist a student who is blind, has low vision, or is visually impaired to achieve the student's maximum potential, the IEP team may consider instruction in the expanded core curriculum, including compensatory skills such as Braille, concept development, or other skills needed to access the core curriculum; orientation and mobility; social interaction skills; career technical education; assistive technology, including optical devices; independent living skills; recreation and leisure; self-determination; and sensory efficiency.  When appropriate, such services may be offered before or after school.  (Education Code 56353)  
  
**Development of the IEP**  
  
Within 30 days of a determination that a student needs special education and related services, the Superintendent or designee shall ensure that a meeting to develop an initial IEP is conducted.  (Education Code 56043; 34 CFR 300.323)  
  
Any IEP required as a result of an assessment of a student shall be developed within 60 days from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension.  Days between the student's regular school sessions, terms, or vacation of more than five school days shall not be counted.  In the case of school vacations, the 60-day time limit shall recommence on the date that the student's school days reconvene.  (Education Code 56043, 56344)  
  
However, when the IEP is required as a result of an assessment of a student for whom a referral has been made 30 days or less prior to the end of the preceding regular school year, the IEP shall be developed within 30 days after the commencement of the subsequent regular school year.  (Education Code 56344)  
  
In developing the IEP, the IEP team shall consider all of the following:  (Education Code 56341.1, 56345; 20 USC 1414; 34 CFR 300.324)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes the student's learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille  
     
   However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student.  This determination shall be based upon an assessment of the student's reading and writing skills, needs, and appropriate reading and writing media, including an assessment of future needs for instruction in Braille or the use of Braille.
8. The communication needs of the student and, in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode  
     
   The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, as described in Education Code 56345.
9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that the student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the team shall include a statement to that effect in the student's IEP.  (Education Code 56341.1)  
  
**Provision of Special Education and Related Services**  
  
The district shall ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with the IEP.  (Education Code 56344; 34 CFR 300.323)  
  
The Superintendent or designee shall ensure that the student's IEP is accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation.  The Superintendent or designee also shall ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP.  (34 CFR 300.323)  
  
If an orientation and mobility evaluation is determined to be needed for a student who is blind, has low vision, or is visually impaired, the evaluation shall be conducted by a person who is appropriately certified as an orientation and mobility specialist and shall occur in familiar and unfamiliar environments, in varying lighting conditions, and in the home, school, and community, as appropriate.  The Superintendent or designee may require annual written parent/guardian consent to provide orientation and mobility services when such services are provided before or after school and when they are provided away from the school site.  (Education Code 56354; 5 CCR 3051.3)  
  
If a student's IEP requires the provision of assistive technology devices or services, the district shall provide such devices or services and shall, on a case-by-case basis, provide for the use of school-purchased devices in the student's home or other settings if the IEP team determines that the student needs access to those devices in order to receive FAPE. If a student who requires the use of an assistive technology device transfers to another local educational agency, the district shall provide the student with continued access to that device or a comparable device for two months from the date the student ceased to be enrolled in the district or until alternative arrangements can be made to provide access to the device, whichever occurs first.  (Education Code 56040.3; 34 CFR 300.105)  
  
**Review and Revision of the IEP**  
  
The Superintendent or designee shall ensure that the IEP team reviews the IEP periodically, but at least annually, in order to:  (Education Code 56043, 56341.1, 56380; 20 USC 1414; 34 CFR 300.324)

1. Determine whether the annual goals for the student are being achieved
2. Revise the IEP, as appropriate, to address:  
   1. Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
   2. The results of any reassessment conducted pursuant to Education Code 56381
   3. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 300.305 and Education Code 56381
   4. The student's anticipated needs
   5. Any other relevant matter
3. Consider the special factors listed in items #5-9 above under "Development of the IEP" when reviewing the IEP of any student with a disability to whom one of those factors may apply

The IEP team shall also meet at any other time upon request by the student's parent/guardian or teacher to review or revise the IEP.  (Education Code 56343)  
  
When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request.  (Education Code 56043, 56343.5)  
  
A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the Superintendent or designee.  The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track.  If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.  
  
If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP.  (Education Code 56345.1; 20 USC 1414; 34 CFR 300.324)  
  
If a student with a disability residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the Superintendent or designee shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs.  (Education Code 56157)  
  
To the extent possible, the Superintendent or designee shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student.  (20 USC 1414; 34 CFR 300.324)  
  
When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the Superintendent or designee may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP.  The IEP team shall be informed of any such changes.  Upon request, the Superintendent or designee shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments.  (Education Code 56380.1; 20 USC 1414; 34 CFR 300.324)  
  
**Audio Recording of IEP Team Meetings**  
  
Parents/guardians and the Superintendent or designee shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting.  If the Superintendent or designee gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded.  Parents/guardians also have the right to:  (Education Code 56341.1)

1. Inspect and review the audio recordings
2. Request that an audio recording be amended if they believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

**Parent/Guardian Participation and Other Rights**  
  
The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place.  (Education Code 56341.5; 34 CFR 300.322)  
  
The Superintendent or designee shall send parents/guardians notices of IEP team meetings that:  (Education Code 56341.5; 34 CFR 300.322)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:  
   1. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to Education Code 56341
   2. The provision of Education Code 56341 relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004)

In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age or older, or younger than 16 if deemed appropriate by the IEP team, the Superintendent or designee's notice to the student's parents/guardians shall include the following:  (Education Code 56341.5)

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1, 20 USC 1414, and 34 CFR 300.320
2. An indication that the student is invited to the IEP team meeting

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321.  (Education Code 56500.1)  
  
The parent/guardian shall have the right and opportunity to examine all of the student's school records upon request, before any IEP meeting, and in connection with any hearing or resolution session on matters affecting the student, including, but not limited to, initial formal assessment, procedural safeguards, and due process.  Upon receipt of an oral or written request, the Superintendent or designee shall provide complete copies of the records within five business days.  (Education Code 56043, 56504)  
  
The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning.  (Education Code 56341.1)  
  
If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls.  (Education Code 56341.5; 20 USC 1414; 34 CFR 300.322)  
  
An IEP team meeting may be conducted without a parent/guardian in attendance if the Superintendent or designee is unable to convince the parent/guardian to attend.  In such a case, the Superintendent or designee shall maintain a record of the attempts to arrange a mutually agreed upon time and place for the meeting, including:  (Education Code 56341.5; 34 CFR 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

The Superintendent or designee shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English.  (Education Code 56341.5; 34 CFR 300.322)  
  
The Superintendent or designee shall give the parents/guardians of a student with a disability a copy of the IEP at no cost.  (Education Code 56341.5; 34 CFR 300.322)  
  
**Parent/Guardian Consent for Provision of Special Education and Services**  
  
Before providing special education and related services to any student pursuant to 20 USC 1414, the Superintendent or designee shall seek to obtain informed consent of the student's parent/guardian.  (Education Code 56346)  
  
If the parent/guardian fails to respond or refuses to consent to the initiation of services, the district shall not use the due process hearing procedures pursuant to 20 USC 1415 to obtain agreement or a ruling that the services may be provided to the student. In such circumstances, the district shall not be required to convene an IEP team or develop an IEP for the student.  (Education Code 56346)  
  
If the parent/guardian consents in writing to the receipt of special education and related services for the student but does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student.  If the Superintendent or designee determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with FAPE, a due process hearing shall be initiated in accordance with 20 USC 1415.  While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the Superintendent or designee agree otherwise.  (Education Code 56346)  
  
If at any time subsequent to the initial provision of services, the student's parent/guardian, in writing, revokes consent for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student.  The Superintendent or designee shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student.  (Education Code 56346; 34 CFR 300.300, 300.503)  
  
Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education.  However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services.  
  
When the district ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.  
  
**Transfer Students**  
  
To facilitate the transition of a student with a disability who is transferring into the district, the Superintendent or designee shall take reasonable steps to promptly obtain the student's records, including the IEP and the supporting documents related to the provision of special education services.  (Education Code 56325; 34 CFR 300.323)  
  
If the student transfers into the district from another school district within the same Special Education Local Plan Area (SELPA) during the school year, the district shall continue to provide services comparable to those described in the student's existing IEP, unless the student's parent/guardian and the district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law.  (Education Code 56325; 34 CFR 300.323)  
  
If the student transfers into the district from a school district outside of the district's SELPA during the school year, the district shall provide the student with FAPE, including services comparable to those described in the previous district's IEP in consultation with the student's parent/guardian, for a period not to exceed 30 days. By the end of that period, the district shall either adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law.  (Education Code 56325; 34 CFR 300.323)  
  
If the student transfers into the district from an out-of-state district during the school year, the district shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as the Superintendent or designee conducts an assessment, if it determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate.  (Education Code 56325; 34 CFR 300.323)

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Approved, 8.2020 Dunsmuir Jt Un HSD Board of Trustees

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## BP  6159.1 - Procedural Safeguards & Complaints For Special Education 8/20

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|  | **Original Adopted Date:** 05/13/2009 **| Last Revised Date:** 08/12/2020 **| Last Reviewed Date:** 08/12/2020 |  |

The Governing Board recognizes its obligation to provide a free appropriate public education (FAPE) to students with disabilities and to uphold the rights of parents/guardians to be involved in educational decisions regarding their child.  Parents/guardians of students with disabilities shall receive written notice of their rights under the federal Individuals with Disabilities Education Act.  
  
Whenever there is a dispute between the district and the parent/guardian of a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. The district or parent/guardian may also request mediation and/or a due process hearing in accordance with law, Board policy, and administrative regulation.  
  
The Superintendent or designee shall represent the district in any due process hearing conducted with regard to district students and shall inform the Board about the result of the hearing.  
  
Any complaint alleging the district's noncompliance with federal or state laws or regulations related to the provision of a free appropriate public education to students with disabilities shall be filed in accordance with 5 CCR 3200-3205.  
 adopted: 8/2020 Dunsmuir, California

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## AR  6159.1  - Procedural Safeguards and Complaints For Special Education    8/12/20

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| **Original Adopted Date:** 05/13/2009 **| Last Revised Date:** 08/12/2020 **| Last Reviewed Date:** 08/12/2020 |  |

**Prior Written Notice**  
  
The Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice:  (Education Code 56346, 56500.4, 56500.5; 20 USC 1415; 34 CFR 300.102, 300.300, 300.503)

1. Before the district initially refers the student for assessment
2. Within a reasonable time before the district proposes to initiate or change the student's identification, assessment, educational placement, or the provision of a free appropriate public education (FAPE) to the student
3. Within a reasonable time before the district refuses to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student
4. Within a reasonable time before the student graduates from high school with a regular diploma thus resulting in a change in placement
5. Upon receipt of the parent/guardian's written revocation of consent for the continued provision of special education and related services to the student

This prior written notice shall include:  (Education Code 56500.4; 20 USC 1415; 34 CFR 300.503)

1. A description of the action proposed or refused by the district
2. An explanation as to why the district proposes or refuses to take the action
3. A description of each assessment procedure, assessment, record, or report the district used as a basis for the proposed or refused action
4. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of the description of procedural safeguards can be obtained
5. Sources for parents/guardians to obtain assistance in understanding these provisions
6. A description of any other options that the individualized education program (IEP) team considered and why those options were rejected
7. A description of any other factors relevant to the district's proposal or refusal

**Procedural Safeguards Notice**  
  
A procedural safeguards notice shall be made available to parents/guardians of students with disabilities once each school year and:  (Education Code 56301; 20 USC 1415; 34 CFR 300.504)

1. Upon initial referral or parent/guardian request for assessment
2. Upon receipt of the first state compliance complaint in a school year, filed in accordance with the section "State Compliance Complaints" below
3. Upon receipt of the first due process hearing request in a school year
4. In accordance with the discipline procedures pursuant to 34 CFR 300.530(h), when  removal of a student because of a violation of a code of conduct constitutes a change of placement
5. Upon request by a parent/guardian

The procedural safeguards notice shall include a full explanation of all of the procedural safeguards available under 34 CFR 300.148, 300.151-300.153, 300.300, 300.502-300.503, 300.505-300.518, 300.520, 300.530-300.536, and 300.610-300.625 relating to:  (Education Code 56301; 20 USC 1415; 34 CFR 300.504)

1. Independent educational evaluation
2. Prior written notice
3. Parental consent, including a parent/guardian's right to revoke consent, in writing, to the student's continued receipt of special education and related services
4. Access to educational records
5. Opportunity to present complaints and resolve complaints through the due process complaint and state compliance complaint procedures, including the time period in which to file a complaint, the opportunity for the district to resolve the complaint, and the difference between a due process complaint and the state compliance complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures
6. The availability of mediation
7. The student's placement during the pendency of any due process complaint
8. Procedures for students who are subject to placement in an interim alternative educational setting
9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense
10. Hearings on due process complaints, including requirements for disclosure of assessment results and recommendations
11. State-level appeals
12. Civil actions, including the time period in which to file those actions
13. Availability of attorneys' fees pursuant to 34 CFR 300.517

This notice shall also include the rights and procedures contained in Education Code 56500-56509, including:  (Education Code 56321, 56321.5, 56321.6)

1. Information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing
2. The timelines for completing each process
3. Whether the process is optional
4. The type of representative who may be invited to participate
5. The right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341.1
6. Information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind

A copy of this notice shall be attached to the student's assessment plan. At each IEP meeting, the Superintendent or designee shall inform the parent/guardian of the federal and state procedural safeguards that were provided in the notice.  (Education Code 56321, 56500.1)  
  
**Format of Parent/Guardian Notices**  
  
The parents/guardians of a student with a disability shall be provided written notice of their rights in language easily understood by the general public and in their native language or other mode of communication used by them, unless to do so is clearly not feasible.  (Education Code 56341, 56506; 34 CFR 300.503, 300.504)  
  
If the native language of other mode of communication of the parent/guardian is not a written language, the district shall take steps to ensure that the notice is translated orally or by other means in the parent/guardian's native language or other mode of communication and that the parent/guardian understands the contents of the notice.  (34 CFR 300.503)  
  
The district may place a copy of the procedural safeguards notice on the district's web site.  (20 USC 1415)  
  
A parent/guardian of a student with disabilities may elect to receive the prior written notice or procedural safeguards notice by an electronic mail communication.  (34 CFR 300.505)  
  
**Filing Due Process Complaints**  
  
A parent/guardian and/or the district may initiate due process hearing procedures whenever:  (Education Code 56501; 20 USC 1415)

1. There is a proposal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
2. There is a refusal to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
3. The parent/guardian refuses to consent to an assessment of the student.
4. There is a disagreement between a parent/guardian and the district regarding the availability of a program appropriate for the student, including the question of financial responsibility, as specified in 34 CFR 300.148.

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint, which shall remain confidential, specifying:  (Education Code 56502; 20 USC 1415; 34 CFR 300.508)

1. The student's name
2. The student's address or, in the case of a student identified as homeless pursuant to 42 USC 11434, available contact information for that student
3. The name of the school the student attends
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

Parties filing a due process complaint shall file their request with the state Office of Administrative Hearings, Special Education Division.  
  
The request shall be filed within two years from the date the party initiating the request knew or had reason to know of the facts underlying the basis for the request.  This timeline shall not apply if the district misrepresented that it had solved the problem or withheld required information from the parent/guardian.  (Education Code 56505; 20 USC 1415; 34 CFR 300.507, 300.511)  
  
**District's Response to Due Process Complaints**  
  
If the district has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the district shall, within 10 days of receipt of the complaint, send a response specifically addressing the issues in the complaint.  (20 USC 1415; 34 CFR 300.508)  
  
If the district has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint, the district shall send a response to the parent/guardian within 10 days of receipt of the complaint containing:  (20 USC 1415; 34 CFR 300.508):

1. An explanation of why the district proposed or refused to take the action raised in the complaint
2. A description of other options that the IEP team considered and the reasons that those options were rejected
3. A description of each assessment procedure, assessment, record, or report the district used as the basis for the proposed or refused action
4. A description of the factors that are relevant to the district's proposal or refusal

Upon the filing of a due process complaint by either party or upon request of the parent/guardian, the district shall inform the parent/guardian of any free or low-cost legal and other relevant services available in the area.  (34 CFR 300.507)  
  
**Informal Process/Pre-Hearing Mediation Conference**  
  
Prior to or upon initiating a due process hearing, the Superintendent or designee and a parent/guardian may, if the party initiating the hearing so chooses, agree to meet informally to resolve any issue(s) relating to the identification, assessment, education and placement, or provision of FAPE for a student with disabilities.  The Superintendent or designee shall have the authority to resolve the issue(s).  (Education Code 56502)  
  
In addition, either party may file a request with the state Office of Administrative Hearings for a mediation conference.  (Education Code 56500.3)  
  
If resolution is reached that resolves the due process issue(s), the parties shall enter into a legally binding agreement that satisfies the requirements of Education Code 56500.3.  (Education Code 56500.3)  
  
Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing.  (Education Code 56500.3, 56501)  
  
**State Compliance Complaints**  
  
Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file with the California Department of Education (CDE) a written and signed statement alleging that, within the previous year, any of the following occurred:  (5 CCR 3200, 3201)

1. The district violated Part B of the Individuals with Disabilities Education Act (20 USC 1411-1419) and its implementing regulations (34 CFR 300.1-300.818).
2. The district violated Part 30 of the Education Code (Education Code 56000-56865) and 5 CCR 3200-3205.
3. The district violated the terms of a settlement agreement related to the provision of FAPE, excluding any allegation related to an attorney fees provision in a settlement agreement.
4. The district failed or refused to implement a due process hearing order to which the district is subject.
5. Physical safety concerns interfered with the provision of FAPE.

The complaint shall include:  (5 CCR 3202; 34 CFR 300.153)

1. A statement that the district has violated or failed to comply with any provision set forth in 5 CCR 3201
2. The facts on which the statement is based
3. The signature and contact information for the complainant
4. If alleging violations with respect to a specific student, the student's name and address (or other available contact information for a homeless student), the name of the school that the student is attending, a description of the nature of the student's problem and facts related to the problem, and a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed

The complainant shall forward a copy of the complaint to the Superintendent or designee at the same time the complaint is filed with CDE.  (5 CCR 3202)  
  
Within 30 days of the date of CDE's investigation report, the district or complainant may request reconsideration of the decision in accordance with 5 CCR 3204.  Pending CDE's response, any corrective actions set forth in the report shall remain in effect and enforceable, unless stayed by a court.  (5 CCR 3204)

Approved 8/2020 Dunsmuir, California

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## AR  6159.4 -  Behavioral Interventions For Special Education Students    2/14

Generally, any student identified as a student with a disability pursuant to the Individuals with Disabilities Education Act, 20 USC [1400](http://gamutonline.net/displayPolicy/364360/6)-[1482](http://gamutonline.net/displayPolicy/364412/6), is subject to the same disciplinary measures applicable to all students for violations of the code of conduct, except when the student's behavior is determined to be a manifestation of his/her disability.

(cf. [5131](http://gamutonline.net/displayPolicy/443000/6) - Conduct)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/6) - Discipline)

(cf. [5144.2](http://gamutonline.net/displayPolicy/443059/6) - Suspension and Expulsion/Due Process (Students with Disabilities))

However, when the behavior of a student with a disability impedes his/her learning or the learning of others, the student's individualized education program (IEP) team shall consider the use of positive behavioral interventions and supports and other strategies consistent with 20 USC [1414](http://gamutonline.net/displayPolicy/364373/6)(d) to address the student's behavior. (Education Code [56521.2](http://gamutonline.net/displayPolicy/899426/6); 34 CFR [300.324](http://gamutonline.net/displayPolicy/421116/6))

If, pursuant to a manifestation determination conducted as specified in 34 CFR [300.530](http://gamutonline.net/displayPolicy/421141/6), the student's behavior is determined to be a manifestation of his/her disability, the IEP team shall conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP) for the student. If a BIP is already in place for the student, the IEP team shall review and modify the BIP to address the student's behavior. (Education Code [56520](http://gamutonline.net/displayPolicy/899424/6); 34 CFR [300.324](http://gamutonline.net/displayPolicy/421116/6), [300.530](http://gamutonline.net/displayPolicy/421141/6))

In addition, when the disciplinary removal of a student with a disability will result in a change in the student's placement as specified in 34 CFR [300.530](http://gamutonline.net/displayPolicy/421141/6), the student shall receive an FBA and behavioral intervention services and modifications designed to address the student's behavior so that it does not recur. (34 CFR [300.530](http://gamutonline.net/displayPolicy/421141/6))

Functional Behavioral Assessment

Prior to providing any behavioral intervention service to a student with a disability, an FBA focusing on identifying the function or purpose of the student's behavior shall be conducted by the student's IEP team.

Before any FBA is conducted, the Superintendent of designee shall notify the student's parent/guardian in accordance with Education Code [56321](http://gamutonline.net/displayPolicy/133454/6) and obtain the parent/guardian's consent. (Education Code [56321](http://gamutonline.net/displayPolicy/133454/6); 34 CFR [300.324](http://gamutonline.net/displayPolicy/421116/6))

(cf. [6159](http://gamutonline.net/displayPolicy/443169/6) - Individualized Education Program)

(cf. [6159.1](http://gamutonline.net/displayPolicy/443171/6) - Procedural Safeguards and Complaints for Special Education)

If the parent/guardian disagrees with the result of an FBA, he/she has the right to obtain an independent educational evaluation at district expense, subject to the conditions specified in 34 CFR [300.502](http://gamutonline.net/displayPolicy/421122/6).

Behavioral Intervention Plan and Services

When any behavioral intervention, support, or other strategy is to be used by the district, the Superintendent or designee shall consider the student's physical freedom and social interaction, administer the intervention, support, or other strategy in a manner that respects the student's dignity and personal privacy, and ensure the student's right to be placed in the least restrictive educational environment. (Education Code [56520](http://gamutonline.net/displayPolicy/899424/6))

When a student for whom a BIP is to be developed is also the responsibility of another agency for residential care or related services, the Superintendent or designee shall cooperate with the other agency to ensure that the BIP, to the extent possible, is implemented in a consistent manner. (Education Code [56520](http://gamutonline.net/displayPolicy/899424/6))

Behavior assessments and behavioral intervention services shall be provided only by individuals who possess the qualifications specified in Education Code [56525](http://gamutonline.net/displayPolicy/899428/6) or 5 CCR [3065](http://gamutonline.net/displayPolicy/210912/6).

Emergency Interventions

Emergency interventions may be used only to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the student or others and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Emergency interventions shall not be used as a substitute for a systematic BIP that is designed to change, replace, modify, or eliminate a targeted behavior. (Education Code [56521.1](http://gamutonline.net/displayPolicy/899425/6))

No emergency intervention shall be used for longer than is necessary to contain the behavior. For any situation that requires a prolonged use of an emergency intervention, staff shall seek assistance of the principal or law enforcement agency, as applicable to the situation. (Education Code [56521.1](http://gamutonline.net/displayPolicy/899425/6))

Emergency interventions shall not involve the use of force exceeding what is reasonable and necessary under the circumstances. In addition, use of locked seclusion or a device, material, or objects that simultaneously immobilize all hands and feet shall not be allowed except as allowed by law. (Education Code [56521.1](http://gamutonline.net/displayPolicy/899425/6))

Parents/guardians and, if appropriate, residential care providers shall be notified within one school day whenever emergency intervention is used or serious property damage occurs. A behavior emergency report shall immediately be completed, kept in the student's file, and forwarded to the Superintendent or designee for review. This report shall include all of the following information: (Education Code [56521.1](http://gamutonline.net/displayPolicy/899425/6))

1. The name and age of the student

2. The setting and location of the incident

3. The name of the staff or other persons involved

4. A description of the incident and the emergency intervention used

5. A statement of whether the student is currently engaged in a systematic BIP

6. Details of any injuries sustained by the student or others, including staff, as a result of the incident

If the behavior emergency report is for a student who does not have a BIP, the Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report, determine the necessity for an FBA, and determine the necessity for an interim BIP. The IEP team shall document the reasons for not conducting the FBA and/or not developing the interim BIP. (Education Code [56521.1](http://gamutonline.net/displayPolicy/899425/6))

If the behavior emergency report is for a student who has a BIP, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's plan needs to be modified. (Education Code [56521.1](http://gamutonline.net/displayPolicy/899425/6))

Prohibited Interventions

The district prohibits the use of corporal punishment as defined in Education Code [49001](http://gamutonline.net/displayPolicy/132271/6) as an intervention. In addition, the district prohibits all of the following: (Education Code [56521.2](http://gamutonline.net/displayPolicy/899426/6))

1. Any intervention designed or likely to cause physical pain, including, but not limited to, electric shock

2. Any intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances near the student's face

3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities

4. Any intervention that is designed to subject, used to subject, or likely to subject the student to verbal abuse, ridicule, or humiliation or that can be expected to cause excessive emotional trauma

5. Any restrictive intervention that uses a device, material, or objects which simultaneously immobilize all hands and feet, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained staff as a limited emergency intervention

6. Locked seclusion, unless in a facility otherwise licensed or permitted by state law to use a locked room

7. Any intervention that precludes adequate supervision of the student

8. Any intervention that deprives the student of one or more of his/her senses

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: February 12, 2014 Dunsmuir, California

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## AR  6162.51  - State Academic Achievement Tests    6/26/21

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| --- | --- | --- |
|  | **Original Adopted Date:** 04/06/2016 **| Last Revised Date:** 06/23/2021 |  |

The Superintendent or designee shall administer the California Assessment of Student Performance and Progress (CAASPP) to all district students at applicable grade levels, except those students exempted by law.  
  
The students of any charter school that receives its state funding allocation through the district shall be tested in coordination with the testing of district students. In addition, the Superintendent or designee shall arrange for the testing of students in any alternative education program or program conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or nonpublic, nonsectarian schools.  No test shall be administered in a home or hospital except by a test administrator or test examiner.  (5 CCR 851)  
  
On or before July 1 of each year, the Superintendent or designee shall identify any district school(s) with students who are unable to access the computer-based assessment of a CAASPP test and shall report the number of such students to the test contractor.  If available, a paper and pencil version of the assessment may be administered to such students.  (5 CCR 853, 857)  
  
On or before July 1 of each year, the Superintendent or designee shall designate a district coordinator who shall oversee all matters related to the testing program and serve as the district representative and liaison with the test contractor and the California Department of Education (CDE).  The Superintendent or designee shall also designate a coordinator for each test site.  The duties of the district and site test coordinators shall include those specified in 5 CCR 857-858.  (5 CCR 857-858)  
  
The Superintendent or designee also shall appoint trained test administrator(s) to administer the CAASPP achievement tests and test examiner(s) to administer the California Alternate Assessments. A test examiner shall be a certificated or licensed employee or contractor of the district or county office of education.  (5 CCR 850)  
  
As appropriate, the Superintendent or designee shall assign a specially trained district employee to serve as a test proctor to assist the test examiner; a specially trained district employee, or other person supervised by a district employee, to serve as a translator to translate the test directions into a student's primary language; and a district employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian or sibling shall not be eligible to be that student's translator or scribe.  (5 CCR 850)  
  
All test administrators, test examiners, proctors, translators, scribes, district and site test coordinators, and other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code 60640 shall acknowledge the limited purpose of their access to the achievement tests by signing a test security affidavit.  In addition, all district and site test coordinators shall sign a test security agreement before receiving any CAASPP achievement tests and corresponding test materials. The test security affidavit and test security agreement shall be those set forth in 5 CCR 859.  (5 CCR 850, 859)  
  
**Tests Included in the State Assessment System**  
  
   
The district shall administer the following CAASPP assessments:  (Education Code 60640; 5 CCR 851.5)

1. The Smarter Balanced summative assessments for English language arts and mathematics in grades 3-8 and 11, except that:  
   1. Recently arrived English learners, defined pursuant to Education Code 60603 as English learners who are in their first 12 months of attending a school in the United States, shall be exempted from taking the English language arts assessment to the extent allowed by federal law. A recently arrived English learner may be administered the test upon request by the student's parent/guardian.
   2. Students with disabilities who are unable to participate in the English language arts and mathematics assessments, even with the resources described in the section "Testing Variations" below, shall be provided an alternate test when designated in their individualized education program (IEP), as provided in item #3 below.
2. The California Science Test (CAST) at grades 5, 8, and once in grades 10-12  
     
   However, students with disabilities who are unable to participate in the CAST, even with the resources described in the "Testing Variations" section below, shall be provided an alternate test when designated in their IEP, as provided in item #3 below.
3. The California Alternate Assessments (CAA) in English language arts, mathematics, and science for students with significant cognitive disabilities who are unable to take the tests specified in items #1-2 above, even with appropriate accommodations or other testing resources, and who have an IEP that designates the use of alternate tests at the applicable grade levels

In addition, the Superintendent or designee may administer the California Spanish Assessment (CSA) to English learners.  Administration of this test shall not replace the administration of the above tests, administered in English, to English learners.  (Education Code 60640)  
  
The CSA also may be used to assess students in a dual language immersion program who are not limited English proficient or who are redesignated fluent English proficient, subject to approval by CDE of an agreement between the district and the state testing contractor.  (Education Code 60640)  
  
Throughout the school year, schools may use Smarter Balanced interim assessments and formative assessment tools at any grade level to provide timely feedback regarding students' progress toward mastery of the skills measured by the summative assessments in English language arts and mathematics and to assist teachers in continually adjusting instruction to improve learning.  The Superintendent or designee may determine the timing and frequency of the administration of such assessments.  
  
**Exemptions**  
Each year the Superintendent or designee shall notify parents/guardians of their child's participation in the CAASPP and of the provisions of Education Code 60615 related to exemptions from testing.  (5 CCR 852)  
  
Parents/guardians may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. However, district employees shall not solicit or encourage any exemption request on behalf of any student or group of students.  (Education Code 60615; 5 CCR 852)  
  
If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records.  (5 CCR 852)  
  
**Testing Period**  
  
The Superintendent or designee shall establish testing days for district students within the following available testing windows:  (5 CCR 855)

1. Unless otherwise specified in state regulations, assessments shall be administered between the date on which at least 66 percent of the school's or track's annual instructional days have been completed, but no earlier than the second Tuesday in January, and the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.
2. The CAA for science shall be administered annually beginning on a date in September as determined by CDE through the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.
3. The CSA shall be administered to English learners within the testing window specified in item #1.

Within the above testing windows, the Superintendent or designee may designate one testing period for each school or track or, if a school has multiple tracks, a selected testing period for each track. The district shall not exceed six selected testing periods within the available testing window. The testing period shall be no fewer than 25 consecutive instructional days and may be extended up to an additional 10 consecutive instructional days if still within the available testing window set forth in items #1-2 above.  (5 CCR 855)  
  
Students who are absent during testing shall be provided an opportunity to take the tests within the testing window.  
  
**Testing Variations**  
  
All CAASPP tests shall be administered in accordance with the manuals or other instructions provided by the test contractor or CDE except that, as appropriate, the following testing variations may be used:  (5 CCR 850, 853-854.4)

1. Universal tools specified in 5 CCR 854.1-854.4 may be used with any student.
2. Designated supports specified in 5 CCR 854.1-854.4 may be used with a student for whom the need has been indicated by an educator or team of educators, with parent/guardian and student input as appropriate, or for whom the need is specified in the student's IEP or Section 504 plan.
3. Accommodations specified in 5 CCR 854.1-854.4 may be used with a student with disabilities when included in the student's IEP or Section 504 plan as resources that are regularly used in the classroom for the student's instruction and/or assessment(s). Such accommodations shall be either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.
4. An unlisted resource that has not been specifically identified as an approved universal tool, designated support, or accommodation may be used with a student who has an IEP or Section 504 plan provided that the resource is one that is regularly used in the classroom for instruction and/or assessment and CDE has approved its use. At least 10 business days prior to the student's first day of CAASPP testing, the district or school site test coordinator may electronically submit a request to CDE for approval to use that unlisted resource during that year. If CDE determines that the unlisted resource changes the construct being measured, the unlisted resource may nevertheless be used with the student in order to generate an individual score report even though the student shall not be counted in the participation rate for accountability measures.  (5 CCR 854.9)

In the administration of the CAA to a student with significant cognitive disabilities, the student may have all instructional supports that may be used in daily instruction or assessment, including language and physical supports, with the exception of any inappropriate test practices listed in test administration manuals.  (5 CCR 850, 854.5)  
  
**Report of Test Results**  
  
For any state assessments that produce valid individual student results, the Superintendent or designee shall forward or transmit the student's test results to the student's parents/guardians within 20 working days from receipt of the results from the test contractor or, if the district receives the results from the contractor after the last day of instruction for the school year, then within the first 20 working days of the next school year. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by the district. An individual student's scores shall also be reported to the school and teacher(s) and shall be included in the student record.  (Education Code 60641; 5 CCR 863)  
  
With parent/guardian consent, the Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission.  (Education Code 60641)  
  
The Superintendent or designee shall present districtwide, school-level, and grade-level results to the Governing Board at a regularly scheduled meeting. The Board shall not receive individual students' scores or the relative position of any individual student.  (Education Code 49076, 60641)

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## BP  6162.8  - Research    2/12/03

The Governing Board recognizes the value of academic research to improve educational programs and practices. Researchers shall respect the privacy rights of students, including their right to refrain from participation in research projects in accordance with law, Board policy and administrative regulation.

The Superintendent or designee may authorize research projects within the district by outside groups or persons when such research is aligned with district goals and objectives and is likely to benefit the district without disrupting the school program.

(cf. [0000](http://gamutonline.net/displayPolicy/442451/6) - Vision)

(cf. [0100](http://gamutonline.net/displayPolicy/442453/6) - Philosophy)

(cf. [0200](http://gamutonline.net/displayPolicy/944030/6) - Goals for the School District)

The Superintendent or designee shall ensure that parents/guardians receive prior notification of any surveys or evaluations that collect personal student information and that consent is obtained in accordance with law.

(cf. [5022](http://gamutonline.net/displayPolicy/442949/6) - Student and Family Privacy Rights)

(cf. [5125](http://gamutonline.net/displayPolicy/442990/6) - Student Records)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/6) - Parental Notifications)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: February 12, 2003 Dunsmuir, California

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## BP  6163.4 - Student Use Of Technology    11/10/21

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| --- | --- | --- |
|  | **Original Adopted Date:** 09/09/2015 **| Last Revised Date:** 11/10/2021 **| Last Reviewed Date:** 11/10/2021 |  |

The Governing Board 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.

 (cf. 0440 - District Technology Plan)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4040 - Employee Use of Technology)

(cf. 6163.1 - Library Media Centers)

 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,  cloud based storage, 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.

 (cf. 6162.6 - Use of Copyrighted Materials)

 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.

 (cf. 5145.12 - Search and Seizure)

 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.

 (cf. 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.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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. (20 USC 6777; 47 USC 254; 47 CFR 54.520)

 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. (Penal Code 313)

 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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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.

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## BP  6173 - Education For Homeless Children    4/19/23

The Governing Board believes that the identification of students experiencing homelessness is critical to improving the educational outcomes of such students and ensuring that students experiencing homelessness have access to the same free and appropriate public education provided to other students within the district. The district shall provide students experiencing homelessness with access to education and other services necessary for such students to meet the same challenging academic standards as other students.  
  
When there are at least 15 students experiencing homelessness in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of students experiencing homelessness.  (Education Code 52052, 52060, 52064)  
  
  
The Superintendent or designee shall review district policies at least once every three years and recommend updates to ensure removal of any barriers to the education of homeless students and unaccompanied youth. Any such review shall address identification, enrollment, and retention of such students, including those barriers that are due to absences or outstanding fees or fines.  (Education Code 48851.3, 42 USC 11432)  
  
  
The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison for homeless students shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting students experiencing homelessness to succeed in school, and as specified in Education Code 48851.3 related to trainings for district staff providing assistance to students experiencing homelessness.  
  
  
The Superintendent or designee shall ensure that each district school identifies all students experiencing homelessness and unaccompanied youths enrolled at the school.  (Education Code 48851)  
  
To ensure easy identification of students experiencing homelessness, the Superintendent or designee shall annually provide and administer a housing questionnaire developed by the California Department of Education (CDE) to all parents/guardians of students and all unaccompanied youths.  (Education Code 48851)  
  
If the primary language of a student's parent/guardian or an unaccompanied youth is not English, either the housing questionnaire shall be made available in the primary language of the student's parent/guardian or the unaccompanied youth pursuant to Education Code 48985, or an appropriate translation of the housing questionnaire shall be provided upon request of a student's parent/guardian or an unaccompanied youth.  (Education Code 48851)  
  
The Superintendent or designee shall report to CDE the number of students experiencing homelessness, including unaccompanied youths, enrolled in the district as identified from the housing questionnaire described above.  (Education Code 48851)  
  
  
In addition, the Superintendent or designee shall ensure that the district liaison's contact information and other information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district and school web sites as specified in the accompanying administrative regulation.  (Education Code 48852.6)  
  
  
The Superintendent or designee shall ensure that placement decisions for students experiencing homelessness are based on the student's best interest as defined in law and administrative regulation.  
  
Each student experiencing homelessness shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs.  (Education Code 48850; 42 USC 11432)  
  
  
Students experiencing homelessness shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate students experiencing homelessness on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet their unique needs.  (42 USC 11432, 11433)  
  
The Superintendent or designee shall ensure that information and/or materials for students experiencing homelessness are provided in a manner and form understandable to the student's parents/guardians and to unaccompanied youths.  
  
  
Information about the living situation of a student experiencing homelessness shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act, shall not be deemed to be directory information as defined in 20 USC 1232g, and shall not be released without written consent.  (42 USC 11432)  
  
  
The Superintendent or designee shall coordinate with other agencies and entities to ensure that students experiencing homelessness are promptly identified, ensure that students experiencing homelessness have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to students experiencing homelessness, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for students experiencing homelessness and services for students with disabilities.  (42 USC 11432)  
  
  
At least annually, the district liaison and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of students experiencing homelessness. Such professional development and technical assistance shall include, but are not limited to, training on the district's homeless education program policies, definitions of terms related to homelessness, recognition of signs that students are experiencing or are at risk of experiencing homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect students experiencing homelessness with appropriate housing and service providers.  (Education Code 48851.3, 48852.5; 42 USC 11432)  
  
  
At least annually, the Superintendent or designee shall report to the Board on the identification of and outcomes for students experiencing homelessness, which may include, but are not limited to, the housing questionnaire responses, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to more effectively identify and support the education of students experiencing homelessness.  
  
  
Annually, the Superintendent or designee shall report to CDE, in accordance with Education Code 51225.1, the number of students experiencing homelessness graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

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| Regulation 6173: Education For Homeless Children |
| |  | | --- | | Status: ADOPTED | | **Original Adopted Date:** 11/09/2016 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | |  |

**Definitions**  
  
  
*Homeless students*or*students experiencing homelessness*means students who lack a fixed, regular, and adequate nighttime residence and includes:  (Education Code 48859; 42 USC 11434a)

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals
2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

*Unaccompanied youth* includes a homeless child or youth not in the physical custody of a parent or guardian.  (Education Code 48859; 42 USC 11434a)  
  
  
*School of origin* means the school that the student experiencing homelessness attended when permanently housed or the school in which the student was last enrolled, including a preschool. If the school the student experiencing homelessness attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the student attended within the preceding 15 months and with which the student is connected, the district liaison for homeless students, in consultation with and with the agreement of the student experiencing homelessness and the person holding the right to make educational decisions for the student, shall determine which school is, in the best interests of the student experiencing homelessness, deemed the school of origin.  (Education Code 48852.7; 42 USC 11432)  
  
  
*Best interest* means that, in making educational and school placement decisions for a student experiencing homelessness, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students.  (Education Code 48850, 48853; 42 USC 11432)  
  
**District Liaison**  
  
  
The Superintendent designates the following staff person as the district liaison for homeless students:  (42 USC 11432)  
  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
(title or position)  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
(address)  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
(email address)  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
(phone number)  
  
  
The district's liaison for homeless students shall:  (Education Code 48851.3, 48851.5, 48852.5; 42 USC 11432)

1. Ensure that students experiencing homelessness are identified by school personnel through outreach and coordination activities with other entities and agencies
2. Ensure that students experiencing homelessness are enrolled in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that families and students experiencing homelessness have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the district
4. Ensure that families and students experiencing homelessness receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services
5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children
6. Disseminate public notice of the educational rights of students experiencing homelessness in locations frequented by parents/guardians of students experiencing homelessness and by unaccompanied youth, including schools, shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.
7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below
8. Fully inform parents/guardians of students experiencing homelessness and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice
9. Offer annual training related to the district's homeless education program policies to school personnel who provide services to students experiencing homelessness, including principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel, to ensure that such employees are informed of available training, professional development, and other support, and the services provided by the district liaison for homeless students
10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090
11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to students experiencing homelessness, including the collection and provision of comprehensive data to the state coordinator as required by law

In addition, when notified pursuant to Education Code 48918.1, the district liaison shall assist, facilitate, or represent a student experiencing homelessness who is undergoing a disciplinary proceeding that could result in the student's expulsion. When notified pursuant to Education Code 48915.5, the district liaison shall participate in an individualized education program (IEP) team meeting to make a manifestation determination regarding the behavior of a student with a disability.  
  
  
The Superintendent or designee shall inform students experiencing homelessness, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. The Superintendent or designee shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on CDE's web site.  (42 USC 11432)  
  
**Enrollment**  
  
The district shall make placement decisions for students experiencing homelessness based on the student's best interest.  (Education Code 48850; 42 USC 11432)  
  
In determining a student's best interest, a student experiencing homelessness shall, to the extent feasible, be placed in the school of origin, unless the student's parent/guardian or the unaccompanied youth requests otherwise.  (Education Code 48852.7; 42 USC 11432)  
  
  
When determining the best interest of any student experiencing homelessness, the district shall give priority to the request of the student's parent/guardian, or in the case of an unaccompanied youth, the request of the student. The student's educational stability and opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress and other student-centered factors related to the student's best interest, including the impact of mobility on the student's achievement, education, health, and safety, shall also be considered.  (Education Code 48850; 42 USC 11432)  
  
  
Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.  
  
However, placement decisions shall not be based on whether a student experiencing homelessness lives with the student's homeless parent/guardian or has been temporarily placed elsewhere.  (42 USC 11432)  
  
In the case of an unaccompanied youth, the district liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of the right to appeal.  (42 USC 11432)  
  
  
Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if the student:  (Education Code 48850, 48852.7; 42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records
4. Has missed application or enrollment deadlines during any period of homelessness

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the principal or designee shall immediately refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if the student is an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student.  (42 USC 11432)  
  
If the student is placed at a school other than the school of origin or the school requested by the student's parent/guardian or the student, if an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the reasons for the decision, including why placement in the student's school of origin or requested school is not in the student's best interest, along with a statement regarding the right to appeal the placement decision. The written explanation shall be in a manner and form understandable to such parent/guardian or unaccompanied youth.  (42 USC 11432)  
  
At the point of any change or subsequent change in the residence of a student experiencing homelessness, the student may continue attending the student's school of origin for the duration of the homelessness.  (Education Code 48852.7; 42 USC 11432)  
  
To ensure that the student experiencing homelessness has the benefit of matriculating with the student's peers in accordance with the established feeder patterns, the following shall apply:  (Education Code 48852.7; 42 USC 11432)

1. If the student is transitioning between grade levels, the student shall be allowed to continue in the same attendance area
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, the student shall be allowed to continue to the school designated for matriculation in that district

If the student's housing status changes before the end of the school year so that the student is no longer experiencing homelessness, the student shall be allowed to stay in the school of origin:  (Education Code 48852.7)

1. Through the duration of the school year if the student is in grades K-8
2. Through graduation if the student is in high school

**Resolving Enrollment Disputes**  
  
  
If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible.  (42 USC 11432)  
  
The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions.  (42 USC 11432)  
  
  
The written explanation shall include:

1. A description of the action proposed or refused by the district
2. An explanation of why the action is proposed or refused
3. A description of any other options the district considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the district liaison and state coordinator, and a brief description of those roles

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.  
  
  
The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.  
  
  
In working with a student's parents/guardians or unaccompanied youth to resolve an enrollment dispute, the district liaison shall:

1. Inform the student's parents/guardians or unaccompanied youth that written and/or oral documentation to support their position may be provided
2. Inform the student's parents/guardians or unaccompanied youth that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide a copy of the dispute form they submit for their records
5. Provide the outcome of the dispute for their records

When a student's parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter. Any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.  
  
If a parent/guardian or unaccompanied youth disagrees with the district liaison's enrollment decision, the decision may be appealed to the Superintendent. The Superintendent shall make a determination within five working days.  
  
  
If the parent/guardian chooses to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the liaison for homeless students at the county office of education.  
  
  
Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities.  (42 USC 11432, 11434a)  
  
**Transportation**  
  
  
The district shall provide transportation for a student experiencing homelessness to and from the student's school of origin when the student is residing within the district and the parent/guardian, or the district liaison in the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend the student's school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation.  (42 USC 11432)  
  
  
Any fees that the district charges for home-to-school transportation and other transportation as expressly provided by law shall be waived for students experiencing homelessness.  (Education Code 39807.5)  
  
  
The district shall not be obligated to provide transportation to students who continue attending their school of origin after they secure permanent housing, unless the formerly homeless student has an IEP that includes transportation as a necessary related service for the student.  (Education Code 48852.7)  
  
**Transfer of Coursework and Credits**  
  
  
When a student experiencing homelessness transfers into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the student and includes:  (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable, for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed  
     
   *Partial coursework satisfactorily completed* includes any portion of an individual course, even if the student did not complete the entire course
2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above.  (Education Code 51225.2)  
  
If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request.  (Education Code 51225.2)  
  
The district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school.  (Education Code 51225.2)  
  
  
If the entire course was completed, the district shall not require the student to retake the course.  (Education Code 51225.2)  
  
If the entire course was not completed at the previous school, the student shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a student in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.  (Education Code 51225.2)  
  
  
Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.  
  
In no event shall the district prevent a student experiencing homelessness from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.  (Education Code 51225.2)  
  
**Applicability of Graduation Requirements**  
  
  
To obtain a high school diploma, a student experiencing homelessness shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements established by the Governing Board.  
  
However, when a student experiencing homelessness who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, the student shall be exempted from all district-established coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for the student, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless.  (Education Code 51225.1)  
  
  
To determine whether a student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer, the length of school enrollment, or, for a student with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies the student for the exemption.  (Education Code 51225.1)  
  
  
If a student experiencing homelessness was not properly notified of an exemption, declined the exemption, or was not previously exempted, the student or the person holding the right to make educational decisions for the student may request the exemption and the Superintendent or designee shall exempt the student within 30 days of the request. A student may request the exemption even if the student is no longer a student experiencing homelessness.  (Education Code 51225.1)  
  
  
When the Superintendent or designee determines that a student who transferred into a district school is reasonably able to complete district-established graduation requirements by the end of the student's fourth year of high school, the student shall not be exempted from those requirements. Within 30 calendar days of the following academic year, the student shall be reevaluated based on the student's course completion status at the time, to determine if the student continues to be reasonably able to complete the district-established graduation requirements in time to graduate by the end of the student's fourth year of high school. Written notice as to whether the student then qualifies for exemption shall be provided to the student, the person holding the right to make educational decisions for the student, and if applicable, to the student's social worker or probation officer.  (Education Code 51225.1)  
  
If, upon reevaluation, it is determined that the student experiencing homelessness is not reasonably able to complete the district-established graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Superintendent or designee shall provide the student with the option to receive an exemption from district-established graduation requirements or stay in school for a fifth year to complete the district-established graduation requirements upon agreement with the student, or if under 18 years of age, the person holding the right to make educational decisions for the student, and provide notifications in accordance with Education Code 51225.1.  (Education Code 51225.1)  
  
  
When a student experiencing homelessness is exempted from district-established graduation requirements, the Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student about the following:  (Education Code 51225.1)

1. Discussion of how any requirements that are waived may affect the student's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges
3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption

The district shall not require or request a student experiencing homelessness to transfer schools in order to qualify for an exemption and shall not grant any request made by a student experiencing homelessness, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student, for a transfer solely to qualify for an exemption.  (Education Code 51225.1)  
  
  
The Superintendent or designee shall not require a student experiencing homelessness who is eligible for an exemption from district-established graduation requirements, and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements.  (Education Code 51225.1)  
  
  
If a student experiencing homelessness is exempted from district-established graduation requirements, the exemption shall not be revoked. Additionally, the exemption shall continue to apply after the student is no longer experiencing homelessness or if the student transfers to another school, including a charter school, or school district.  (Education Code 51225.1)  
  
  
The Superintendent or designee shall not require or request a student experiencing homelessness who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school.  (Education Code 51225.1)  
  
  
Upon making a finding that a student experiencing homelessness is reasonably able to complete district-established graduation requirements within the fifth year of high school, the Superintendent or designee shall:  (Education Code 51225.1)

1. Consult with the student and, if under 18 years of age, the person holding the right to make educational decisions for the student, of the option to remain in school for a fifth year to complete the district-established graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the person holding the right to make educational decisions for the student if under 18 years of age, permit the student to stay in school for a fifth year to complete the district-established graduation requirements
4. Consult with the student or with the person holding the right to make educational decisions for the student of the option to remain in the student's school of origin

When a student experiencing homelessness who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, and is not reasonably able to complete the district-established graduation requirements within the student's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the student shall be exempted from all district-established graduation requirements and be provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student, regarding the following:  (Education Code 51225.1)

1. The student's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the district-established requirements and remaining in school for a fifth year on the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education
3. Other options available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges
4. The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

**Eligibility for Extracurricular Activities**  
  
  
A student experiencing homelessness who enrolls in any district school shall have access to extracurricular and enrichment activities that are available to all students in the school, including but not limited to, interscholastic sports administered by the California Interscholastic Federation.  (Education Code 48850)  
  
**Notification, Complaints, and Posting Requirements**  
  
Information regarding the educational rights of students experiencing homelessness, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622.  (Education Code 51225.1, 51225.2)  
  
  
Any complaint that the district has not complied with requirements regarding the education of students experiencing homelessness, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.  
  
  
The Superintendent or designee shall ensure that a list of the district's liaison(s) and the contact information for such liaison(s), as well as specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to students experiencing homelessness, are posted on the district's web site.  (Education Code 48852.6)  
  
Each district school that has a web site shall also post the contact information for the district liaison and the name and contact information of any employee or other person under contract with the school who assists the district liaison in completing the liaison's duties pursuant to 42 USC 11432.  (Education Code 48852.6)

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| Board Policy Education For Foster Youth 6173.1: |
| |  | | --- | | Status: ADOPTED | | **Original Adopted Date:** 02/12/2014 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | | see more |

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs that may be addressed with the provision of a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement.  
  
The Superintendent or designee shall provide foster youth with full access to the district's educational program and implement strategies necessary for the improvement of the academic achievement of foster youth as identified in the district's local control and accountability plan (LCAP). The Superintendent or designee shall also develop strategies to build a foster youth's feeling of connectedness with school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.  
  
  
The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and as specified in the accompanying administrative regulation.  To that end, the Superintendent or designee  shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.  
  
The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.  
  
  
To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers.  The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.  
  
  
At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.  
  
  
Annually, the Superintendent or designee shall report to the California Department of Education, in accordance with Education Code 51225.1, the number of foster youth graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

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| Regulation Education For Foster Youth 6173.1: | Status: ADOPTED |
|  | **Original Adopted Date:** 11/21/2017 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | see more |

**Definitions**  
  
  
Foster youth, foster child, or student in foster care means any of the following:  (Education Code 42238.01, 48853.5)

1. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 300, whether or not the child has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 319 or 361
2. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, whether or not the child has been removed from the child's home
3. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 727, and is in foster care as defined by Welfare and Institutions Code 727.4(d)
4. A nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01
5. A child who has been removed from the youth's home pursuant to Welfare and Institutions Code 309
6. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the court's jurisdiction in accordance with the tribe's law
7. A child who is the subject of a voluntary placement agreement, as defined in Welfare and Institutions Code 11400(p)

*Person holding the right to make educational decisions* means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.  
  
*School of origin* means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the foster youth was last enrolled, or if there is another school that the foster youth attended with which the foster youth is connected and that the foster youth attended within the preceding 15 months, the district liaison, in consultation with, and with the agreement of, the foster youth and the person holding the right to make educational decisions for the foster youth shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.  (Education Code 48853.5)  
  
  
*Best interests of a foster youth* means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students.  (Education Code 48850, 48853; 20 USC 6311)  
  
**District Liaison**  
  
  
The Superintendent designates the following position as the district's liaison for foster youth:  (Education Code 48853.5)  
  
Superintendent/Principal  
5805 High School Way  
Dunsmuir, CA  96025  
530-235-4835  
rkellar@dunsmuirhigh.k12.ca.us  
  
The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care  (Education Code 48853.5)
2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another  (Education Code 48645.5, 48853.5)  
     
   When a student in foster care is enrolling in a district school, the liaison shall contact, within two business days of the student's request for enrollment, the school last attended by the student to obtain all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request.  (Education Code 48853.5)
3. Notify a foster youth's educational rights holder, attorney, and county social worker when a foster youth is undergoing any expulsion or other disciplinary proceeding including a manifestation determination for a foster youth who is a student with a disability, prior to a change in the foster youth's placement.  (Education Code 48853.5, 48911, 48915.5, 48918.1)
4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services
6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth
7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate instruction, counseling, tutoring, mentoring vocational training, and other related services for the district's foster youth
8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

The Superintendent or designee shall regularly monitor the liaison's caseload, as well as additional duties outside of the foster youth program, to ensure that adequate time and resources are provided to meet the needs of foster youth in the district.  
  
**Enrollment**  
  
A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies:  (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency
2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interests of the student to be placed in another education program and submits a written statement to the district indicating that determination and an awareness of the following:  
   1. The student has a right to attend a regular public school in the least restrictive environment
   2. The alternate education program is a special education program, if applicable
   3. The decision to unilaterally remove the student from the district school and to place the student in an alternate education program may not be financed by the district
   4. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student
3. At the initial placement or any subsequent change in placement, the student exercises the right to continue in the school of origin, as defined above. In any such circumstance, the following shall apply:  
   1. The student may continue in the school of origin for the duration of the court's jurisdiction
   2. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in the school of origin for the remainder of the school year
   3. If the court's jurisdiction is terminated while the student is in high school, the student may continue in the school of origin through graduation
   4. If the student is transitioning between school grade levels, the student shall be allowed to continue in the district in the same attendance area to provide the student the benefit of matriculating with the student's peers in accordance with the established feeder patterns of school in the district. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin.  (Education Code 48853.5)  
  
The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and the foster youth be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests.  (Education Code 48853.5)  
  
Prior to making any recommendation to move a foster youth from the school of origin, the liaison shall provide the foster youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests.  (Education Code 48853.5)  
  
  
If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the foster youth would be served by a transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, regardless of whether the foster youth:  (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

If the foster youth or a person holding the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, an appeal may be filed with the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the foster youth or the person holding the right to make educational decisions for the foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.  
  
If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute.  (Education Code 48853.5)  
  
**Transportation**  
  
  
The Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable a foster youth to remain in the school of origin, for the duration of the time spent in foster care, when it is in the foster youth's best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both.  (20 USC 6312)  
  
  
Any fees that the district charges for home-to-school transportation and other transportation as expressly provided by law shall be waived for foster youth.  (Education Code 39807.5)  
  
**Effect of Absences on Grades**  
  
The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances:  (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the  grades shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

**Transfer of Coursework and Credits**  
  
  
When a foster youth transfers into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the foster youth and includes:  (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed  
     
   *Partial coursework satisfactorily completed* includes any portion of an individual course, even if the student did not complete the entire course
2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above.  (Education Code 51225.2)  
  
If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request.  (Education Code 51225.2)  
  
The district shall accept and issue full or partial credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency.  (Education Code 51225.2)  
  
  
If the entire course was completed, the district shall not require the foster youth to retake the course.  (Education Code 51225.2)  
  
If the entire course was not completed at the previous school, the foster youth shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, the foster youth shall be enrolled in the same or equivalent course, if applicable, to enable the completion of the entire course.  (Education Code 51225.2)  
  
  
Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.  
  
In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.  (Education Code 51225.2)  
  
**Applicability of Graduation Requirements**  
  
  
To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Board.  
  
However, when a foster youth who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, the foster youth shall be exempted from all district-established coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for the foster youth, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth.  (Education Code 51225.1)  
  
  
To determine whether a foster youth is in the third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer, the length of school enrollment, or for a foster youth with significant gaps in school attendance, the foster youth's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies the foster youth for the exemption.  (Education Code 51225.1)  
  
  
If a foster youth was not properly notified of an exemption, declined the exemption, or was not previously exempted, the foster youth or the person holding the right to make educational decisions for the foster youth may request the exemption and the Superintendent or designee shall exempt the foster youth within 30 days of the request.  A student who at one time qualified for the exemption may request the exemption even if the student is no longer eligible.  (Education Code 51225.1)  
  
  
When the Superintendent or designee determines that a foster youth who transferred into a district school is reasonably able to complete district-established graduation requirements by the end of the foster youth's fourth year of high school, the foster youth shall not be exempted from those requirements. Within 30 calendar days of the following academic year, the foster youth shall be reevaluated based on the foster youth's course completion status at the time, to determine if the student continues to be reasonably able to complete the district-established graduation requirements in time to graduate by the end of the foster youth's fourth year of high school. Written notice as to whether the foster youth then qualifies for the exemption shall be provided to the foster youth, the person holding the right to make educational decisions for the foster youth, and if applicable, to the foster youth's social worker or probation officer.  (Education Code 51225.1)  
  
If, upon reevaluation, it is determined that the foster youth is not reasonably able to complete the district-established graduation requirements in time to graduate from high school by the end of the foster youth's fourth year of high school, the Superintendent or designee shall provide the foster youth with the option to receive an exemption from district-established graduation requirements or stay in school for a fifth year to complete the district-established graduation requirements upon agreement with the foster youth, or if under 18 years of age, the person holding the right to make educational decisions for the foster youth, and provide notifications in accordance with Education Code 51225.1.  (Education Code 51225.1)  
  
  
When a foster youth is exempted from district-established graduation requirements, the Superintendent or designee shall consult with the foster youth and the person holding the right to make educational decisions for the foster youth about the following:  (Education Code 512251.)

1. Discussion of how any requirements that are waived may affect the foster youth's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges
3. Consideration of the foster youth's academic data and any other information relevant to making an informed decision on whether to accept the exemption

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and shall not grant any request made by a foster youth or any person acting on behalf of a foster youth for a transfer solely to qualify the foster youth for an exemption.  (Education Code 51225.1)  
  
  
The Superintendent or designee shall not require a foster youth who is eligible for an exemption from district-established graduation requirements, and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the foster youth is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements.  (Education Code 51225.1)  
  
  
If a foster youth is exempted from district-established graduation requirements the exemption shall not be revoked. Additionally, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while still enrolled in school or if the foster youth transfers to another school or school district.  (Education Code 51225.1)  
  
  
The Superintendent or designee shall not require or request a foster youth who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the foster youth's fourth year of high school.  (Education Code 51225.1)  
  
  
Upon making a finding that a foster youth is reasonably able to complete district-established graduation requirements within the fifth year of high school, the Superintendent or designee shall:  (Education Code 51225.1)

1. Consult with the foster youth and the person holding the right to make educational decisions for the foster youth of the option to remain in school for a fifth year to complete the district-established graduation requirements and how that will affect the foster youth's ability to gain admission to a postsecondary educational institution
2. Consult with and provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if under 18 years of age, the person holding the right to make educational decisions for the foster youth, permit the foster youth to stay in school for a fifth year to complete the district-established graduation requirements
4. Consult with the foster youth and the person holding the right to make educational decisions for the foster youth of the option to remain in the foster youth's school of origin

When a foster youth who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, and is not reasonably able to complete the district-established graduation requirements within the foster youth's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the foster youth shall be exempted from all district-established graduation requirements and provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the Superintendent or designee shall consult with the foster youth and the person holding the right to make educational decisions for the foster youth, regarding the following:  (Education Code 51225.1)

1. The foster youth's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the district-established requirements and remaining in school for a fifth year on the foster youth's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education
3. Other options available to the foster youth, including but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges
4. The foster youth's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

**Eligibility for Extracurricular Activities**  
  
  
A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.  (Education Code 48850)  
  
**Notification and Complaints**  
  
  
Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622.  (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)  
  
  
Any complaint alleging that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If CDE finds merit in an appeal, the district shall provide a remedy to the affected student.  (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

## BP  6174  - Education For English Learners    8/19

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

(cf. [6011](http://gamutonline.net/displayPolicy/443083/6) - Academic Standards)

(cf. [6141](http://gamutonline.net/displayPolicy/443096/6) - Curriculum Development and Evaluation)

(cf. [6161.1](http://gamutonline.net/displayPolicy/443179/6) - Selection and Evaluation of Instructional Materials)

(cf. [6161.11](http://gamutonline.net/displayPolicy/443181/6) - Supplementary Instructional Materials)

(cf. [6171](http://gamutonline.net/displayPolicy/443219/6) - Title I Programs)

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above

3. Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner

(cf. [0415](http://gamutonline.net/displayPolicy/1119502/6) - Equity)

(cf. [6141.4](http://gamutonline.net/displayPolicy/1031362/6) - International Baccalaureate Program)

(cf. [6141.5](http://gamutonline.net/displayPolicy/944049/6) - Advanced Placement)

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. [0460](http://gamutonline.net/displayPolicy/890963/6) - Local Control and Accountability Plan)

(cf. [3100](http://gamutonline.net/displayPolicy/991931/6) - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners. The Superintendent or designee may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.

(cf. [0420](http://gamutonline.net/displayPolicy/442457/6) - School Plans/Site Councils)

(cf. [1220](http://gamutonline.net/displayPolicy/442496/6) - Citizen Advisory Committees)

(cf. [6020](http://gamutonline.net/displayPolicy/443084/6) - Parent Involvement)

Staff Qualifications and Training

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. [4112.22](http://gamutonline.net/displayPolicy/442657/6) - Staff Teaching English Learners)

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. [4131](http://gamutonline.net/displayPolicy/910308/6) - Staff Development)

(cf. [4231](http://gamutonline.net/displayPolicy/910309/6) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/6) - Staff Development)

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is reclassified based on criteria specified in the accompanying administrative regulation.

In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 854.1-854.3. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code [60603](http://gamutonline.net/displayPolicy/1007016/6), [60640](http://gamutonline.net/displayPolicy/1006808/6); 5 CCR 854.1-854.3)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/6) - State Academic Achievement Tests)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/6) - Student Assessment)

Language Acquisition Programs

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code [306](http://gamutonline.net/displayPolicy/1007214/6); 5 CCR [11300](http://gamutonline.net/displayPolicy/264262/6))

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code [305](http://gamutonline.net/displayPolicy/1007213/6)-[306](http://gamutonline.net/displayPolicy/1007214/6); 5 CCR [11309](http://gamutonline.net/displayPolicy/292059/6))

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code [305](http://gamutonline.net/displayPolicy/1007213/6)-[306](http://gamutonline.net/displayPolicy/1007214/6))

1. A dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding

(cf. [6142.2](http://gamutonline.net/displayPolicy/443105/6) - World Language Instruction)

2. A transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code [42238.02](http://gamutonline.net/displayPolicy/1006821/6). (Education Code [310](http://gamutonline.net/displayPolicy/1007215/6))

(cf. [6151](http://gamutonline.net/displayPolicy/944051/6) - Class Size)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code [305](http://gamutonline.net/displayPolicy/1007213/6))

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code [310](http://gamutonline.net/displayPolicy/1007215/6) 5 CCR [11310](http://gamutonline.net/displayPolicy/292060/6))

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/6) - Parental Notifications)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code [310](http://gamutonline.net/displayPolicy/1007215/6); 5 CCR 11311)

Reclassification

When an English learner is determined based on state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code [313](http://gamutonline.net/displayPolicy/721449/6) and [52164.6](http://gamutonline.net/displayPolicy/132868/6), or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English

2. The number and percentage of English learners reclassified as fluent English proficient

3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code [313.1](http://gamutonline.net/displayPolicy/807553/6)

4. The achievement of English learners on standards-based tests in core curricular areas

5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR [11309](http://gamutonline.net/displayPolicy/292059/6)

6. Progress toward any other goals for English learners identified in the district's LCAP

7. A comparison of current data with data from at least the previous year in regard to items #1-6 above

8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: August 14, 2019 Dunsmuir, California

## AR  6174  Education For English Learners    1/20

Definitions

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code [306](http://gamutonline.net/displayPolicy/1007214/6); 20 USC 7801)

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR [11300](http://gamutonline.net/displayPolicy/264262/6))

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR [11300](http://gamutonline.net/displayPolicy/264262/6))

Native speaker of English means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code [306](http://gamutonline.net/displayPolicy/1007214/6))

Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code [52164.1](http://gamutonline.net/displayPolicy/132863/6); 5 CCR [11307](http://gamutonline.net/displayPolicy/292057/6), 11518.5)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code [313](http://gamutonline.net/displayPolicy/721449/6), [52164.1](http://gamutonline.net/displayPolicy/132863/6); 5 CCR 11518.5)

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

(cf. [6159](http://gamutonline.net/displayPolicy/443169/6) - Individualized Education Program)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/6) - State Academic Achievement Tests)

(cf. [6164.6](http://gamutonline.net/displayPolicy/443217/6) - Identification and Education Under Section 504)

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code [313](http://gamutonline.net/displayPolicy/721449/6))

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code [52164.1](http://gamutonline.net/displayPolicy/132863/6); 5 CCR 11518.15)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/6) - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code [313.2](http://gamutonline.net/displayPolicy/807554/6), [440](http://gamutonline.net/displayPolicy/288849/6); 20 USC [6312](http://gamutonline.net/displayPolicy/190143/6))

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program

2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:

a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction

b. The manner in which the program will meet the educational strengths and needs of the student

c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation

d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

e. When the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code [313.1](http://gamutonline.net/displayPolicy/807553/6), and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards

5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request

6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available

7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code [310](http://gamutonline.net/displayPolicy/1007215/6), such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.

3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:

a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program

b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals

c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators

d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR [11309](http://gamutonline.net/displayPolicy/292059/6), [11310](http://gamutonline.net/displayPolicy/292060/6))

1. A description of the programs provided, including structured English immersion

2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English

3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development

4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals

5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language

6. The process to request establishment of a language acquisition program not offered at the school

7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR [11302](http://gamutonline.net/displayPolicy/264264/6))

Reclassification/Redesignation

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code [52164.6](http://gamutonline.net/displayPolicy/132868/6))

The procedures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code [313](http://gamutonline.net/displayPolicy/721449/6), [52164.6](http://gamutonline.net/displayPolicy/132868/6); 5 CCR [11303](http://gamutonline.net/displayPolicy/292053/6))

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student

3. Parent/guardian involvement, including:

a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate

b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR [11305](http://gamutonline.net/displayPolicy/292055/6))

(cf. [5125](http://gamutonline.net/displayPolicy/991951/6) - Student Records)

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR [11304](http://gamutonline.net/displayPolicy/292054/6))

The Superintendent or designee shall monitor students for at least four years following their reclassification to ensure correct classification and placement and to determine whether any additional academic support is needed.

Advisory Committees

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code [52176](http://gamutonline.net/displayPolicy/132881/6); 5 CCR [11308](http://gamutonline.net/displayPolicy/292058/6))

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code [52176](http://gamutonline.net/displayPolicy/132881/6))

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code [52176](http://gamutonline.net/displayPolicy/132881/6))

The DELAC shall advise the Board on at least the following tasks: (5 CCR [11308](http://gamutonline.net/displayPolicy/292058/6))

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners

2. Conducting a districtwide needs assessment on a school-by-school basis

3. Establishing a district program, goals, and objectives for programs and services for English learners

4. Developing a plan to ensure compliance with applicable teacher or instructional aide requirements

5. Administering the annual language census

6. Reviewing and commenting on the district's reclassification procedures

7. Reviewing and commenting on the required written parental notifications

(cf. [0420](http://gamutonline.net/displayPolicy/442457/6) - School Plans/Site Councils)

(cf. [1220](http://gamutonline.net/displayPolicy/442496/6) - Citizen Advisory Committees)

(cf. [5020](http://gamutonline.net/displayPolicy/442946/6) - Parent Rights and Responsibilities)

(cf. [6020](http://gamutonline.net/displayPolicy/443084/6) - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR [11308](http://gamutonline.net/displayPolicy/292058/6))

LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code [52063](http://gamutonline.net/displayPolicy/899526/6); 5 CCR [11301](http://gamutonline.net/displayPolicy/264263/6), [15495](http://gamutonline.net/displayPolicy/938375/6))

(cf. [0460](http://gamutonline.net/displayPolicy/890963/6) - Local Control and Accountability Plan)

The DELAC may also serve as the LCAP English learner advisory committee.

Regulation DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

approved: January 21, 2020 Dunsmuir, California

## BP  6178  - Career Technical Education    11/18

The Governing Board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with practical experience and understanding of all aspects of an industry.

(cf. [6143](http://gamutonline.net/displayPolicy/443120/6) - Courses of Study)

(cf. [6200](http://gamutonline.net/displayPolicy/443254/6) - Adult Education)

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs (ROC/Ps), charter schools, small learning communities, magnet programs, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

(cf. [0420.4](http://gamutonline.net/displayPolicy/442464/6) - Charter School Authorization)

(cf. [6178.2](http://gamutonline.net/displayPolicy/513060/6) - Regional Occupational Center/Program)

The Superintendent or designee shall explore available funding sources that may be used to support CTE programs. The Board shall review and approve all district plans and applications for the use of district, state, and/or federal funds supporting CTE.

(cf. [3230](http://gamutonline.net/displayPolicy/1062628/6) - Federal Grant Funds)

The Board shall adopt district standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. [6011](http://gamutonline.net/displayPolicy/443083/6) - Academic Standards)

(cf. [6141](http://gamutonline.net/displayPolicy/443096/6) - Curriculum Development and Evaluation)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code [52376](http://gamutonline.net/displayPolicy/132979/6))

The Superintendent or designee shall systematically review the district's CTE courses to determine the degree to which each course may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code [52376](http://gamutonline.net/displayPolicy/132979/6))

(cf. [6146.1](http://gamutonline.net/displayPolicy/910321/6) - High School Graduation Requirements)

(cf. [6146.11](http://gamutonline.net/displayPolicy/443141/6) - Alternative Credits Toward Graduation)

(cf. [6146.2](http://gamutonline.net/displayPolicy/443143/6) - Certificate of Proficiency/High School Equivalency)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. He/she shall also work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

(cf. [1700](http://gamutonline.net/displayPolicy/442528/6) - Relations Between Private Industry and the Schools)

(cf. [5113.2](http://gamutonline.net/displayPolicy/492653/6) - Work Permits)

(cf. [6178.1](http://gamutonline.net/displayPolicy/492655/6) - Work-Based Learning)

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

(cf. [6172.1](http://gamutonline.net/displayPolicy/513058/6) - Concurrent Enrollment in College Classes)

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department. (Education Code [8070](http://gamutonline.net/displayPolicy/129287/6))

(cf. [1220](http://gamutonline.net/displayPolicy/442496/6) - Citizen Advisory Committees)

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, and, if applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/6) - Parental Notifications)

(cf. [6164.2](http://gamutonline.net/displayPolicy/910322/6) - Guidance/Counseling Services)

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC [2354](http://gamutonline.net/displayPolicy/241118/6); 34 CFR 100 Appendix B, 104.8, 106.9)

(cf. [0410](http://gamutonline.net/displayPolicy/442456/6) - Nondiscrimination in District Programs and Activities)

(cf. [1312.3](http://gamutonline.net/displayPolicy/442510/6) - Uniform Complaint Procedures)

To the extent required by law, the Superintendent or designee shall invite the participation of private school students in CTE programs supported by federal funding under the Strengthening Career and Technical Education for the 21st Century Act (Perkins). (20 USC [2397](http://gamutonline.net/displayPolicy/227663/6))

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she shall also provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

(cf. [4112.2](http://gamutonline.net/displayPolicy/442653/6) - Certification)

(cf. [4131](http://gamutonline.net/displayPolicy/910308/6) - Staff Development)

(cf. [4331](http://gamutonline.net/displayPolicy/910310/6) - Staff Development)

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

(cf. [0440](http://gamutonline.net/displayPolicy/991928/6) - District Technology Plan)

(cf. [3440](http://gamutonline.net/displayPolicy/442571/6) - Inventories)

(cf. [3512](http://gamutonline.net/displayPolicy/442578/6) - Equipment)

(cf. [7110](http://gamutonline.net/displayPolicy/443258/6) - Facilities Master Plan)

The Superintendent or designee shall annually report to the Board achievement data on participating students, including, but not limited to, the percentage of participating students who successfully complete CTE programs, their performance on state and district academic achievement tests, and graduation rate. Data shall be disaggregated by program and various student subgroups. Based on such data, the Board shall determine the need for program improvements and update the goals in the district's local control and accountability plan as necessary.

(cf. [0500](http://gamutonline.net/displayPolicy/442472/6) - Accountability)

(cf. [6162.5](http://gamutonline.net/displayPolicy/944052/6) - Student Assessment)

(cf. [6162.51](http://gamutonline.net/displayPolicy/910319/6) - State Academic Achievement Tests)

(cf. [6190](http://gamutonline.net/displayPolicy/443252/6) - Evaluation of the Instructional Program)

Policy DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT

adopted: November 14, 2018 Dunsmuir, California

## AR  6182  Opportunity School/Class/Program    9/13/2000

Before assigning a student to an opportunity school, class or program, the student and his/her parent/guardian shall be notified in writing of the intended assignment. Insofar as practicable, the notice shall be in the parent/guardian's primary language and shall request the parent/guardian to respond within 10 days. If the parent/guardian does not respond, the Superintendent or designee shall make a reasonable effort to contact him/her by telephone to directly communicate the information contained in the written notice. (Education Code 48637.1)

(cf. [5145.6](http://gamutonline.net/displayPolicy/443068/6) - Parental Notifications)

Students shall be assigned to an opportunity school, class or program only upon the recommendation of a school committee which includes, but is not necessarily limited to, the following members: (Education Code 48637.2)

1. A district representative who is familiar with the student's progress

2. A representative of the opportunity school, class or program

3. The student's parent/guardian, at the parent/guardian's option

The parent/guardian may designate a representative such as a counselor, social worker or other community member to attend the committee meeting. (Education Code 48637.2)

At least twice each school year, a review shall be conducted to examine the progress of each student assigned to an opportunity school, class or program and to determine whether the student would benefit by returning to regular school or classes. A representative of the opportunity school, class or program who is familiar with the student's progress shall participate in the review, as shall the student's parent/guardian if he/she so desires. (Education Code 48637.3)

If a student is a habitual truant, irregular in attendance, or insubordinate or disorderly while assigned to an opportunity school, class or program, the Superintendent or designee may refer the student to a school attendance review board in the county. (Education Code 48638)

(cf. [5113](http://gamutonline.net/displayPolicy/442969/6) - Absences and Excuses)

(cf. [5113.1](http://gamutonline.net/displayPolicy/442971/6) - Truancy)

(cf. [5131](http://gamutonline.net/displayPolicy/443000/6) - Conduct)

(cf. [5144](http://gamutonline.net/displayPolicy/944044/6) - Discipline)

(cf. [5144.1](http://gamutonline.net/displayPolicy/944046/6) - Suspension and Expulsion/Due Process)

(cf. [5144.2](http://gamutonline.net/displayPolicy/443059/6) - Suspension and Expulsion/Due Process (Students with Disabilities))

Regulation DUNSMUIR HIGH SCHOOL

approved: September 13, 2000 Dunsmuir, California

## AR  6184  - Continuation Education    5/14

|  |  |  |
| --- | --- | --- |
|  | **Original Adopted Date:** 05/21/2014 **| Last Revised Date:** 04/19/2023 **| Last Reviewed Date:** 04/19/2023 | see more |

**Program Components**  
  
The district's continuation education program shall include the following components:

1. Curriculum that prepares students to meet the course requirements for graduation prescribed in Education Code 51224-51225.3  (5 CCR 11004)
2. A plan to coordinate instruction and training in the continuation education program with the student's home, employment, and other agencies  (5 CCR 11003)
3. Instruction based on individual student needs as determined by counseling and coordination services  (5 CCR 11002)
4. Personal guidance in matters affecting students' personal, social, and educational adjustment  (5 CCR 11001)
5. Occupational guidance to prepare students for future employment opportunities  (5 CCR 11001)
6. Placement in suitable employment whenever students can benefit from such employment, and follow-up visitations at places of employment to determine the effectiveness of the guidance and placement services  (5 CCR 11001)
7. Regular home contacts and parent conferences when students are not succeeding in the continuation program  (5 CCR 11001)
8. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education, with the intent of eventually returning them to the full-time continuation education program  (5 CCR 11001)
9. Regular communication with all parents/guardians regarding their child's progress in the educational program
10. Opportunities for parent/guardian and community involvement in school activities and program planning
11. Student support services that may include, but are not limited to, academic support services, health services or referrals, child care and development services for the children of enrolled students, and/or prevention and intervention services for alcohol or substance abuse
12. Professional development that includes opportunities for teachers to continually improve their instructional and classroom management skills
13. Efforts to ensure school safety and promote a positive school climate

**Involuntary Transfer**  
  
  
A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student:  (Education Code 48432.5)

1. Committed an act enumerated in Education Code 48900
2. Has been habitually truant or irregular in attendance from instruction the student is lawfully required to attend.

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time an act enumerated in Education Code 48900 is committed if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.  (Education Code 48432.5)  
  
  
Prior to an involuntary transfer, the student and the student's parent/guardian, or a foster youth's educational rights holder, attorney and social worker, or an Indian child's tribal social worker, and if applicable, county social worker, shall be given written notice that a meeting may be requested with the Superintendent or designee.  (Education Code 48432.5)  
  
  
At the meeting, the student and the student's parent/guardian, or, if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker, or, if applicable, county social worker, shall be informed of the specific facts and reasons for the proposed transfer, and have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with the student at the meeting.  (Education Code 48432.5)  
  
A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and the student's parent/guardian or, if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker, or, if applicable, county social worker. It shall indicate whether the decision is subject to periodic review and the procedure for such review.  (Education Code 48432.5)  
  
The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time.  (Education Code 48432.5)  
  
  
No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester when the acts leading to the involuntary transfer occurred.  (Education Code 48432.5)  
  
**Voluntary Enrollment**  
  
  
As space permits, students who meet the eligibility criteria specified in Board policy may voluntarily enroll in a continuation school. A student may be considered for placement in the continuation school whenever the student's parent/guardian submits a written request to the Superintendent or designee or the student is referred by a counselor or school administrator.  
  
Approval of a student's voluntary transfer shall be based on a finding that the placement will promote the educational interests of the student.  (Education Code 48432.3)  
  
  
Voluntary enrollment shall be subject to the following conditions:  (Education Code 48432.3, 48432.5)

1. A student's voluntary placement in continuation education shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Education Code 48900.5.
2. The district shall strive to ensure that no specific group of students, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation education within the district.
3. The Superintendent or designee shall annually review disaggregated student enrollment data and report such data to the Governing Board. If it is determined that one or more student groups are enrolled in continuation education at a significantly higher level than their proportional enrollment in the district, the Superintendent or designee shall conduct a review of enrollment criteria and procedures to determine the reason for the disproportionate enrollment.
4. A copy of this administrative regulation and accompanying Board policy shall be provided to a student whose voluntary transfer to a continuation school is under consideration and to the student's parent/guardian.
5. Before a student is transferred and upon request by the student's parent/guardian, the parent/guardian may meet with a counselor, principal, or administrator from both the school that the student is currently attending and the continuation school to determine if transferring is the best option for the student.
6. To the extent possible, voluntary transfer to a continuation school shall occur within the first four weeks of each semester.
7. The transfer is voluntary, and the student has a right to return to the student's previous school.
8. A student who is voluntarily enrolled in continuation education may return to the regular high school at the beginning of the following school year, or at any other time with the consent of the Superintendent or designee.

**Intake and Orientation**  
  
  
Upon voluntary or involuntary transfer to a continuation education program, an intake meeting shall be conducted with each student and the student's parent/guardian. At this meeting, the principal or counselor shall provide information about each course and the number of credits that the student needs to complete in order to graduate and shall develop an individualized academic plan for the student. The student, and the student's parent/guardian as appropriate, shall sign a contract indicating their commitment to these objectives.  
  
In addition, at the beginning of each school year, the district coordinator for continuation education, school counselor(s), or other designee(s) shall provide an orientation session for all incoming students and their parents/guardians in order to explain the credit recovery process and establish expectations for student conduct and participation. As appropriate, extended orientation sessions may be provided to assist students in developing academic, social, communication, anger management, or other skills necessary to success in school.  
  
**Minimum Attendance Requirement**  
  
  
In continuation high schools and classes, a day of attendance shall be at least 180 minutes. (Education Code 46170)  
  
Each student shall attend classes for not less than 15 hours per week.  However, if a student gives satisfactory proof of regular employment, the student may attend classes for not less than four hours per week for the regular school term.  These requirements may be met by any combination of attendance in a continuation education class and/or regional occupational center or program.  (Education Code 46170, 48402, 48400)  
  
**Leaves of Absence**  
  
  
A student enrolled in compulsory continuation education classes may take a leave of absence for up to two semesters for the purpose of supervised travel, study, training, or work in accordance with law, Board policy, and administrative regulation.  (Education Code 48416)  
  
**Reenrollment**  
  
Any person age 16 or 17 years who terminated enrollment in continuation school after obtaining a certificate of proficiency may reenroll in the district once without prejudice.  If the student leaves a second time, the Superintendent or designee may deny reenrollment until the beginning of the next semester.  (Education Code 48414)