



DISTRICT ACKNOWLEDGEMENTS and BOARD POLICIES 2023-2024 School Year

Dear Parent/Guardian:

Please read the following acknowledgments carefully. By agreeing electronically, you acknowledge that you have both read and understand all text presented to you as part of the registration process.

Estimados padres de familia:

Por favor, lea cuidadosamente los siguientes reconocimientos. Acordando electrónicamente, usted reconoce que ha leído y comprende todo el texto presentado como parte del proceso de registro.

PLEASE CLICK ON EACH DOCUMENT AND BOARD POLICY BELOW TO VIEW PRIOR TO ACKNOWLEDGING THROUGH THE GOOGLE FORM.

- School Calendar for 2023-2024 School Year ([page 2](#))
- Bell Schedules (Regular and Minimum Days) ([page 3](#))
- Breakfast/Lunch Prices, Times, and USDA Disclosure Statement ([page 4](#))
- Blue Note/Bus Procedures ([page 5](#))
- Pesticide Treatment Letter with Dates of Service and Materials ([page 11](#))
- Asbestos Management Plan (AMPR) ([page 12](#))
- "all in" Health Care for All Families Info Flyer (Medi-Cal & Covered CA) ([page 13](#))
- Every Day in School and On Time – SARF Flyer ([page 14](#))
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- Pacific Educators California Student and Athletic Accident Insurance (parent letter, brochures, forms) ([page 19](#))
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- 8th Grade Promotion Requirements ([page 23](#))
- MUESD School Procedures and Protocols ([page 24](#))
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 - AB 452 - Pupil Safety: Parental Notification, Firearm Safety Laws ([page 29](#))
 - SB 906 - School Safety: Homicide Threats ([page 31](#))
- Comprehensive School Safety Plan ([page 35](#))
- Annual Parent Notification - Pupil Rights Information for Parents: English & Spanish ([page 141](#))

BOARD POLICIES

- | | | | | |
|------------------------------------|---------------------------|---------------------------|---------------------------|-------------------------------|
| • Bus Conduct: | BP 5131.1 | AR 5131.1 | | |
| • Bullying/Cyberbullying: | BP 5131.2 | AR 5131.2 | | |
| • Mobile Communication Devices: | BP 5131.8 | | | |
| • Dress and Grooming: | BP 5132 | AR 5132 | | |
| • Sexual Harassment: | BP 5145.7 | AR 5145.7 | | |
| • Student Use of Technology: | BP 6163.4 | | | |
| • Independent Study Instruction: | BP 6158 | AR 6158 | | |
| • Suspension or Expulsion: | BP 5144.1 | AR 5144.1 | AR 5144.2 | Ed Code 48900 |
| • Promotion/Acceleration/Retention | BP 5123 | AR 5123 | | |
| • Absences and Excuses | BP 5113 | AR 5113 | | |

Please read through the [Parent/Guardian Notifications](#) including Education Codes and MUESD Board Policies relating to annual, special circumstance, classroom postings, and special education notifications.

School Calendar

2023-2024

August 15-18, 2023	Teacher Professional Development Days
August 21, 2023	FIRST DAY OF SCHOOL (Full day)
September 4, 2023	Labor Day Observed - Holiday
September 22, 2023	1st Qtr Progress Report (4th-8th) (5 weeks)
September 27, 2023	Staff Development Day (Minimum day)
October 25, 2023	Staff Development Day (Minimum day)
October 27, 2023	End of 1st Qtr (5 weeks)
November 6-9, 2023	Parent Conference Week (Minimum Days)
November 10, 2023	Veterans Day Observed - Holiday
November 20-22, 2023	Thanksgiving Break (Non-School Days)
November 23-24, 2023	Thanksgiving Holiday Observed - Holiday
December 1, 2023	2nd Qtr Progress Report (4th-8th) (5 weeks)
December 15, 2023	Minimum Day (Day Before Winter Break)
Dec 18-Jan 1, 2024	Winter Break (Non-School Days)
December 25, 2023	Christmas Day Observed - Holiday
December 21-27, 2023	District Closure
January 1, 2024	New Year's Day Observed - Holiday
January 2, 2024	FIRST DAY AFTER WINTER BREAK
January 15, 2024	MLK B-Day Observed - Holiday
January 17, 2024	Staff Development Day (Minimum Day)
January 19, 2024	End of 2nd Qtr (5 weeks)
February 12, 2024	Lincoln's B-Day Observed - Holiday
February 16, 2024	3rd Qtr Progress Report (4th-8th) (54 weeks)
February 19, 2024	Washington's B-Day Observed - Holiday
February 21, 2024	Staff Development Day (Minimum Day)
March 1, 2024	Fair Day (Non-School Day)
March 20, 2024	Staff Development Day (Minimum Day)
March 22, 2024	End of 3rd Qtr (5 weeks)
March 28, 2024	Minimum Day (Day Before Spring Break)
March 29, 2024	Good Friday Observed - Holiday
April 1-5, 2024	Spring Break (Non-School Days)
April 17, 2024	Staff Development Day (Minimum Day)
May 15, 2024	Staff Development Day (Minimum Day)
May 3, 2024	4th Qtr Progress Report (4th-8th) (5 weeks)
May 27, 2024	Memorial Day Observed - Holiday
May 31, 2024	End of 4th Qtr (4 weeks)
June 6, 2024	LAST DAY OF SCHOOL (Minimum Day)
June 7, 2024	Teacher Check-Out Day
June 19, 2024	Juneteenth Holiday
July 4, 2024	Independence Day

August 2023 	September 2023 	October 2023
November 2023 	December 2023 	January 2024
February 2024 	March 2024 	April 2024
May 2024 	June 2024 	July 2024

COLOR/SYMBOL GUIDE

	First/Last Day of School
	Legal Holiday
	Non School Days (18)
	Teacher Contract Day (5)
	Progress Reports (4th-8th grade)
	End of Quarter
○	Minimum Day for Staff Development (4)
○	Minimum Day for Teacher Work Day (3)
—	Regular Minimum Day (7)
—	District Closure (4)

Student Minimum Days (7)

November 6-9, 2023	Parent Conference Week - 4 Days
December 15, 2023	Day Before Christmas Break
March 28, 2024	Day Before Spring Break
June 6, 2024	Last Day of School

Student Minimum Days for Staff Development (7)

September 27, 2023	February 21, 2024
October 25, 2023	March 20, 2024
January 17, 2024	April 17, 2024
May 15, 2024	

McCabe Union Elementary School District

Bell Schedules for the 2023-2024 School Year

REGULAR DAY SCHEDULES

McCabe TK-3rd Grade		Corfman 4th-6th		Junior High 7th-8th	
Breakfast in Cafeteria	7:30-8:08	Breakfast in Cafeteria	7:30-8:08	Breakfast in Cafeteria	7:30-8:08
Warning Bell	8:08	Warning Bell	8:08	Warning Bell	8:08
Class Begins	8:10	Class Begins	8:10	Leader in Me	8:10-8:25
Leader in Me	8:15-8:35	Leader in Me	8:10-8:30	1st Period	8:30-9:24
2nd PRIME Time	8:45-9:30	4th PRIME Time	8:40-9:25	2nd Period	9:29-10:23
TK AM Recess	8:45-9:00	5th PRIME Time	8:30-9:30	3rd Period	10:28-11:22
3rd PRIME Time	8:45-9:30	4th AM Recess	10:00-10:15	4th Period	11:27-12:21
Kinder AM Recess	9:00-9:15	5th AM Recess	10:15-10:30	7th LUNCH	Cafeteria 12:21-12:41 Recess 12:41-1:11
1st/2nd/3rd AM Recess	9:30-9:45	6th AM Recess	10:30-10:45	8th LUNCH	Recess 12:21-12:41 Cafeteria 12:46-1:11
1st PRIME Time	9:45-10:30	6th PRIME Time	10:45-11:30	5th Period	1:11-2:05
TK LUNCH	10:10-11:00	4th LUNCH	11:10-12:00	6th Period / Advisory	2:10-2:40
Kinder LUNCH	10:40-11:30	5th LUNCH	11:35-12:25	Dismissal	2:40pm
1st LUNCH	11:10-12:00	6th LUNCH	12:00-12:50		
2nd LUNCH	11:40-12:30				
3rd LUNCH	12:10-1:00				
TK PM Recess	12:10-12:25				
Kinder PM Recess	12:45-1:00				
Dismissal	2:00				

MINIMUM DAY SCHEDULES

McCabe TK-3rd Grade		Corfman 4th-6th		Junior High 7th-8th	
Breakfast in Cafeteria	7:30-8:08	Breakfast in Cafeteria	7:30-8:08	Breakfast in Cafeteria	7:30-8:08
Warning Bell	8:08	Warning Bell	8:08	Advisory	8:10-8:20
Class Begins	8:10	Class Begins	8:10	1st Period	8:25-9:01
TK AM Recess	8:50-9:05	4th Recess	9:30-9:45	2nd Period	9:06-9:39
Kinder AM Recess	9:00-9:15	5th Recess	9:45-10:00	7th/8th LUNCH	9:39-10:19
1st & 2nd AM Recess	9:30-9:45	6th Recess	10:00-10:15	3rd Period	10:19-10:54
3rd AM Recess	9:30-9:45	4th LUNCH	10:40-11:20	4th Period	10:59-11:32
TK LUNCH	10:10-10:55	5th LUNCH	11:00-11:40	5th Period	11:37-12:10
Kinder LUNCH	10:45-11:30	6th LUNCH	11:20-12:00	Dismissal	12:10
1st LUNCH	11:15-12:00				
2nd LUNCH	11:40-12:25				
3rd LUNCH	12:05-12:50				
TK PM Recess	12:10-12:25				
Kinder PM Recess	12:30-12:45				
Dismissal	12:55	Dismissal	12:10		



Breakfast and lunch will be at no cost for McCabe students for the 2023-2024 school year.

Breakfast will be served daily from 7:30am-8:10am in each school cafeteria.

Lunch Times

McCABE	REGULAR DAY	MINIMUM DAY
TK	10:10am-11:00am	10:10am-10:55am
Kinder	10:40am-11:30am	10:50am-11:30am
1 st Grade	11:10am-12:00pm	11:15am-12:00pm
2 nd Grade	11:40am-12:30pm	11:40am-12:25pm
3 rd Grade	12:10pm-1:00pm	12:05pm-12:50pm

CORFMAN	REGULAR DAY	MINIMUM DAY
4 th Grade	11:10am-12:00pm	10:40am-11:20am
5 th Grade	11:35am-12:25pm	11:00am-11:40am
6 th Grade	12:00pm-12:50pm	11:20am-12:00pm
7 th Grade	12:21pm-1:11pm	9:39am-10:19am
8 th Grade	12:21pm-1:11pm	9:39am-10:19am

USDA Disclosure Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Blue Note Procedure

Procedimiento de la Nota Azul

Please be advised of McCabe's "Blue Note" procedure.

Por favor, tenga en cuenta los procedimientos de la "Nota Azul de McCabe."

For the safety of our students, we require the students have a "blue note" if they:

Para la seguridad de nuestros estudiantes, requerimos que los estudiantes tengan una "Nota Zul" si:

- 1) are leaving school early
1) Estan saliendo temprano de la escuela
- 2) have different transportation arrangements for a particular day
2) Tiene diferentes arreglos de transporte para un día en particular

Please send either a note with your student in the morning before school begins or call the office by **11:00am** to request a "blue note".

Por favor, envíe una nota con su estudiante por la mañana antes de que comience la escuela o llame a la oficina antes de las 11:00am para pedir una "nota azul."

BLUE NOTES NOT CALLED IN BY 11:00AM WILL NOT BE HONORED.

Las llamadas para Notas Azules que no se reciban para las 11:00am no serán honradas.

Your cooperation will help the office get your child's "blue note" to the teacher in a timely manner without disrupting their classroom.

Su cooperación a la oficina a obtener la "Nota Azul" de su hijo al maestro de una manera oportuna sin interrumpir su salón de clases.

Respectfully,

Respetuosamente,





Mary Kay Monson
Superintendent

Superintendente

***DUE TO THE INCREASE IN THE STUDENT POPULATION,
"BLUE NOTE" REQUESTS MUST BE MADE BY 11:00AM.***

DEBIDO AL AUMENTO DE LA POBLACIÓN ESTUDIANTIL, LA SOLICITUD DE LA NOTA AZUL DEBE HACERSE ANTES DE LAS 11:00AM.

*** * SAMPLE * ***

BLUE NOTE	Student: _____
	Teacher: _____ Date: _____
	<div>BUS HOME</div> <div></div> <div>Gate: _____ Color: _____</div> <div>Address: _____</div>
	<div>CAR LINE</div> <div><div>EARLY PICK-UP</div><div></div><div>Time of pick-up: _____</div><div>Picked up by: _____</div></div>

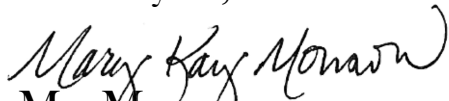
Parents of Bus Riders

* Please be advised that the bus schedules are subject to change the first two weeks of school. Please allow 15 minutes before and after scheduled stop times for unexpected traffic.

* All kindergarten and 1st grade students ***MUST*** have an adult present at their designated residential bus stop before they are allowed to exit the bus. If no adult is present upon the arrival of the bus, your child will be returned to the school office to await the arrival of a parent or guardian to take them home.

* *Any change in transportation requires a **Blue Note**. **Blue Notes MUST be requested before 11:00 am either by a phone call or note from a parent/guardian listed on the student's emergency card.***

Thank you,



Ms. Monson

Superintendent



Thank you for your patience and assistance
in making McCabe a safe school!

Bus Rules and Regulations

General Rules of Bus Conduct for Students

- 1 Follow the bus driver's instructions at all times.
- 2 Cross the highway or private road ONLY under the direct supervision of the bus driver.
- 3 Students shall enter and exit the bus in an orderly manner.
- 4 There is to be no slapping, hitting, shoving or other distracting behavior at any time.
- 5 Keep hands, head and all objects inside the bus at all times.
- 6 No object of any kind is to be thrown outside or inside of the bus.
- 7 Keep the bus clean and in good condition.
- 8 Students are not to shout or make offensive remarks to pedestrians or motorists. Be courteous and respectful to all people.
- 9 Eating, drinking, or gum chewing is not allowed at any time on the bus.
- 10 Wrestling/horse-play/fighting is not allowed on the bus or at any bus stop.
- 11 Feet, hands, books, etc., are to be kept clear of the aisle.
- 12 Students are NOT permitted to take live animals or any other item, which would cause a disturbance on the bus.
- 13 Use of profane language will not be permitted.
- 14 Students are to promptly report any damage to seats or other parts of the bus near where they are sitting to avoid being charged with responsibility for such damage.
- 15 Behave in a manner that will keep others safe while on the bus, waiting at the bus stop, when leaving the bus, or crossing roads.

NOTICE OF THE USE OF SECURITY CAMERAS

McCabe Union School District has installed video surveillance cameras in the school buses. These cameras were installed to promote safety and deter disruptive or inappropriate behavior on the buses. The cameras record when buses are transporting students.

ANUNCIO DE USO DE CAMARAS DE SEGURIDAD

El Distrito de la Escuela McCabe ha instalado camaras de video de seguridad dentro de los autobuses. Estas camaras fueron instaladas para la seguridad de los estudiantes y para desalentar conducta impropia. Las camaras graban cuando los autobuses transportan estudiantes.

California Code of Regulations

REGULAR ROUTE COVERAGE ~ 34501.6

If during your route atmospheric conditions occur that reduce visibility to less than 200 feet, radio dispatch, explain the circumstances, and await direction. In no case should a driver operate a vehicle in weather conditions that they consider unsafe.

FIELD/ACTIVITY TRIPS ~ 34501.9

When atmospheric conditions reduce visibility to less than 200 feet during a Field/Activity trip you must make a determination as to the safety of continuing the trip. If you are within radio range of base you must notify dispatch of any delay. Any delay of a trip under this provision will require a written report of the circumstances causing the delay upon return.

Board Approval: 9/9/97

Bus Conduct **BP.5144**

1. Absence: If the driver comes to your child's stop for two days and your child does not ride the bus, your child will not be picked up until you notify the school office.
2. Bus Behavior: If, in the judgment of the bus driver, a pupil's behavior interferes with bus safety, the driver is authorized to take necessary emergency disciplinary steps and will report the incident to the administration as well as the parent/guardian.

Authority of the Driver – 5 CCR 14103

The following section is quoted from 5 CCR:

14103(a) Pupils transported in a school bus or in a school pupil activity bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway, or road. Continued disorderly conduct or persistent refusal to submit to a authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus enroute between home and school or other destinations.

14102(b) Governing boards shall adopt rules to enforce this section. Such rules shall include, but not be limited to, specific administration procedures relating to suspension of riding privileges and shall be made available to parents, pupils, teachers, and other interested parties.

Adopted: 10/8/02

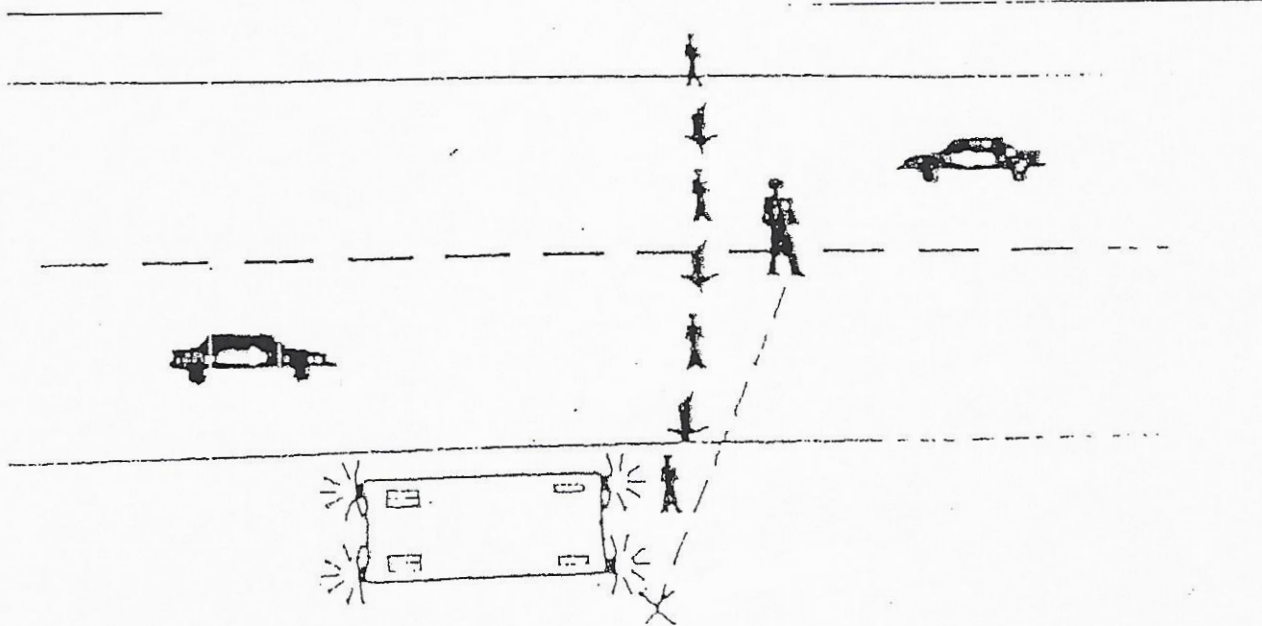
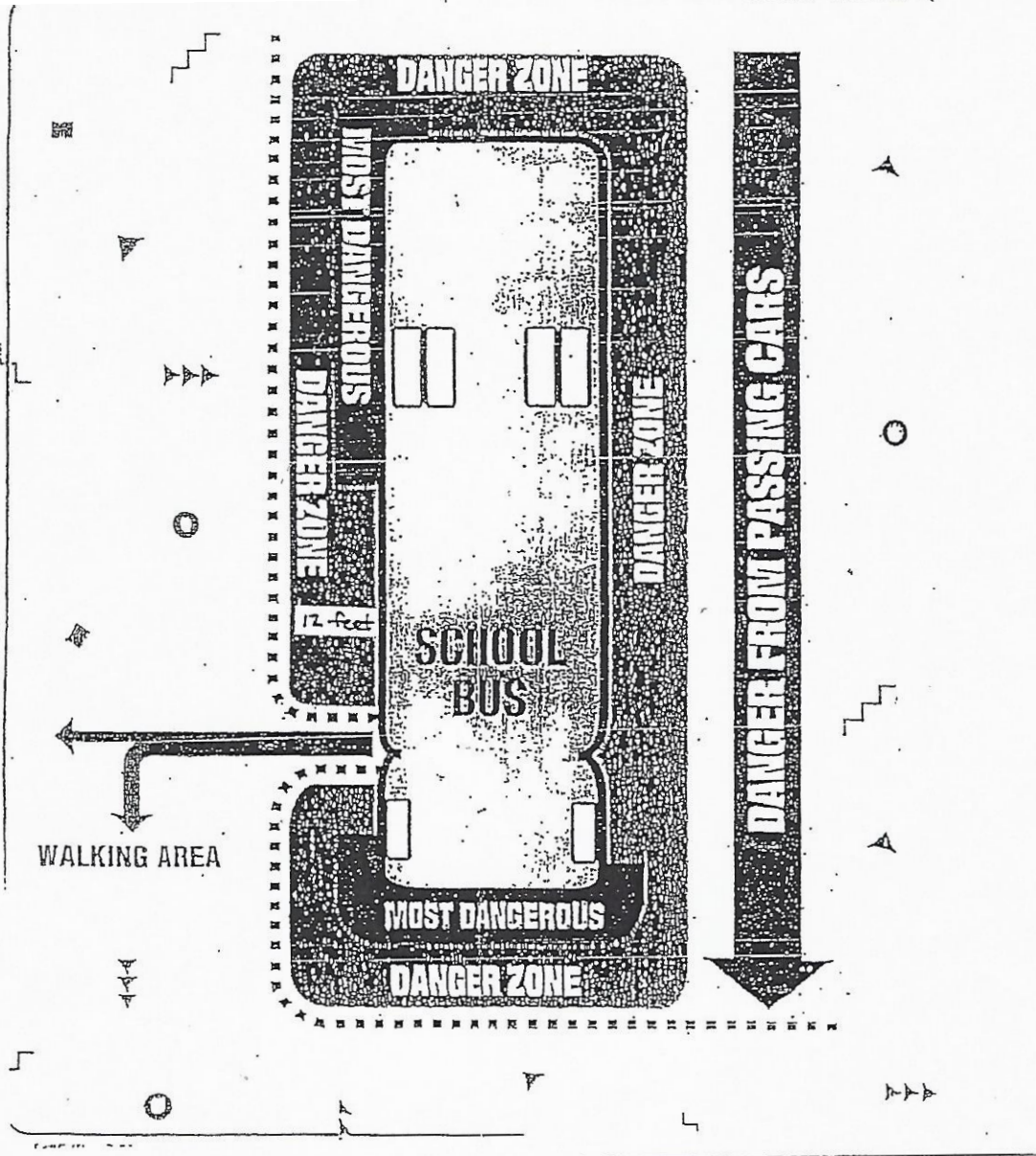
Bus Conduct Referral

Progressive Discipline Procedure

- Step 1** Written incident report to transportation supervisor, copy in file, copy sent home to parent/guardian
- Step 2** Written incident report to: Transportation supervisor and parent contacted
- Step 3** Referred to superintendent/principal for warning of pending denial of bus privileges
- Step 4** Short-term denial (5 days)
- Step 5** Long-term denial (30 days)

The above procedures are enforced for MINOR bus behavior infractions.

All MAJOR bus misbehavior will result in immediate denial of bus privileges.





200 S. Imperial Avenue, Imperial, CA 92251
P.O. Box 966, Imperial, CA 92251
Phone: (760) 355-6655



The Healthy Schools Act of 2000 requires each school district to notify parents, guardians, and staff annually of the dates that pesticides will be applied during the year. The following are the 2023-2024 school year dates on which our technicians will be out at your location to render pest control services. These are set dates and times due to the Healthy Schools Act of 2000.

TREATMENT WILL NOT TAKE PLACE WHILE STUDENTS ARE PRESENT.

McCABE SCHOOL SITE

- August 9, 2023 at 12:00 PM
- September 13, 2023 at 3:30 PM
- October 11, 2023 at 3:30 PM
- November 8, 2023 at 3:30 PM
- December 14, 2023 at 3:30 PM
- January 10, 2024 at 3:30 PM
- February 14, 2024 at 3:30 PM
- March 13, 2024 at 3:30 PM
- April 10, 2024 at 3:30 PM
- May 8, 2024 at 3:30 PM
- June 12, 2024 at 3:30 PM

CORFMAN SCHOOL SITE

- August 9, 2023 at 12:00 PM
- September 13, 2023 at 3:30 PM
- October 11, 2023 at 3:30 PM
- November 8, 2023 at 3:30 PM
- December 14, 2023 at 3:30 PM
- January 10, 2024 at 3:30 PM
- February 14, 2024 at 3:30 PM
- March 13, 2024 at 3:30 PM
- April 10, 2024 at 3:30 PM
- May 8, 2024 at 3:30 PM
- June 12, 2024 at 3:30 PM

Services may be scheduled for interior/exterior of all buildings during the following school holidays:
Thanksgiving Break and Spring Break

NAME OF PESTICIDE

Advion Ant Gel
Advion Cockroach Gel
Bifen It
Cimexa
Drione Dust
CY- Kick PT
Ecoexempt
Ecovia G
EcoVia EC
Niban Franular Bait
Phantom Aero
Termidor SC
Wasp – Freeze

ACTIVE INGREDIENT

Indoxacarb
Indoxacarb
Bifenthrin
Silicone Dioxide Asmorphous Silica
Piperonylbutoxide
Cyfluthrin
Plant Essential Oils
Plant Essential Oils
Plant Essential Oils
Boric Acid
Chlorfenapyr
Fipronil
D-Trans Allethrin

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's Website at <http://www.cdpr.ca.gov>.

If you have any questions, please contact Mary Kay Monson, Superintendent or Nick Curry, Director of Maintenance and Operations at (760) 335-5200. A public posting of this letter can be found on the McCabe web site at www.muesd.net.

Asbestos Management Plan

It is the intention of the McCabe Union Elementary School District's (MUESD) to comply with all federal and state regulations regarding asbestos and take whatever steps necessary to ensure students and employees a healthy and safe environment in which to learn and work.

This letter serves as the McCabe Union Elementary School District's (MUESD) annual notification to all students, parents/guardians, and McCabe staff that MUESD continues to maintain its Asbestos Management Plan (AMPR) which documents all performed or planned asbestos related inspections, response actions, and post-response action activities including periodic re-inspection and surveillance activities within the school district.

You are welcome to review a copy of each facility asbestos management plan kept on file in our district administrative office located at 701 W. McCabe Road, El Centro, CA 92243 in the McCabe District Office. For all inquiries regarding the asbestos management plan and asbestos-related issues in our district, please contact Nick Curry, Director of Maintenance, at (760) 335-5200.

MUESD is committed to providing safe schools for all students, parents, guardians, and employees in our district and we thank you for your attention to this important issue.

Respectfully,

A handwritten signature in black ink, reading "Mary Kay Monson". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Mary Kay Monson
Superintendent



A PROJECT OF THE CHILDREN'S PARTNERSHIP

AB 2706

WHAT: California Assembly Bill 2706 (Hernandez) requires schools to provide health coverage information in their enrollment packets at the beginning of the school year.

WHY: This bill takes advantage of the role schools can play in connecting children and families to health coverage and has the goal of increasing the number of uninsured children and families who enroll in health coverage.

WHEN: Beginning in the 2015 school year through 2018, public schools will be required to provide information to families about their health coverage opportunities and enrollment assistance.

HOW: To fulfill the requirements of the bill schools can do one of the following -

- ▶ Send **ALL IN Family Flyer*** home with children in their backpacks. Download the Family Flyer at www.allinforhealth.org/ab_2706.
- ▶ Develop your own informational item explaining basic information about affordable health care coverage options for children and families.
- ▶ Amend an existing enrollment form with up-to-date health coverage information.

Learn about other ways that you can be ALL IN and connect children and families to health coverage. Visit www.allinforhealth.org or call us at (916) 844-2413.

*ALL IN worked with the California Department of Education and Covered California to ensure our materials meet the requirements of AB 2706.



**ACCEPTABLE
EXCUSES TO BE ABSENT
FROM SCHOOL**



- Personal illness (school may require doctor's note after 3- 5 consecutive days, depending on the School Board.
- Quarantine under the direction of a health officer.
- Personal medical, dental, or optometric appointment (school may require verification of the appointment)
- Funeral services for a member of immediate family (1 day in the state, 3 days out of state)
- Personal court appearance (requires verification)
- Religious retreat or holidays (3 days advance notice to school, limited to 4 hours per semester.
- To obtain required immunizations (not over 5 days)

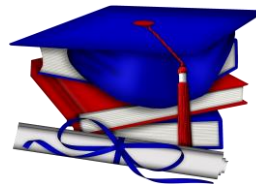


**UNACCEPTABLE
EXCUSES TO BE ABSENT
FROM SCHOOL
(Truancies and Unexcused
Absences)**

- Baby-sitting, taking care of other family members
- Personal problems
- Out-of-town travel for unexcused reasons
- Car trouble-transportation difficulties
- Immediate family illness of a non-emergency nature
- Staying home due to a late awakening
- Unavailability of appropriate clothing
- Excessive absences without doctor verification (after 5th excused absence)

**Imperial County
School Districts**

Brawley Elementary School District
Brawley Union High School
Calexico Unified School School District
Calipatria Unified School School District
Central Union High School District
El Centro Elementary School District
Heber Elementary School District
Holtville Unified School District
Imperial County Office of Education
Imperial Unified School District
Magnolia Elementary School District
McCabe Union Elementary School District
Meadows Union Elementary School District
Mulberry Elementary School District
San Pasqual Valley Unified School District
Seeley Union Elementary School District
Westmorland Union Elementary School District



**California Law
and
School Attendance**



**Every Day in
School
and
On Time**

Chronic Truancy is the Law!

Definition of Chronic Truancy

Effective January 1, 2011, *EC* Section 48263.6: Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant.



Chronic truancy and eventual involvement in crime go hand in hand. Studies show that today's chronic truant is tomorrow's juvenile delinquent. That's why the District Attorney's Office and Imperial County Schools are working together to abolish truancy.

By working with school administrators, teachers, parents, and students, the District Attorney's Office intervenes at the very beginning of the truancy cycle.

The focus of the goal is not to punish either parents or students, but to help parents understand compulsory school attendance laws in order to prevent their children from becoming chronic truants.



A message to Parents

The District Attorney's Office is very serious about ending truancy.

1. Parents should send their children every day and on time to school because they want to improve the quality of life for their children. Education is as essential as food, clothing, and shelter in a child's life.

2. If problems are interfering with the ability of the child to attend school, the District Attorney's Office will work with schools to find community resources to assist in overcoming these problems.

3. If necessary, the District Attorney's Office will take legal action against parents, guardians or responsible adults if the child does not attend school.

SCHOOL ATTENDANCE

Why it Matters...

- To get the best start in life, a child needs a good education.
- Students' regular attendance to school is directly related to better academic achievement.
- Good attendance teaches responsibility. Employers hire people with good attendance.
- Good attendance secures financial aid / scholarships for college.
- Students who attend school regularly are less likely to get involved with alcohol, gangs, drugs, and violence.
- People who attend school regularly are less likely to be victims or perpetrators of crime.

SCHOOL ATTENDANCE REVIEW BOARD (SARB)

What is SARB?

Established by California Legislature in 1975 for the purpose of:

- Meeting the needs of students with attendance and/or serious behavior problems
- Promoting the use of alternatives to the juvenile court system.
- Ensuring compliance with the **LAWS** related to attendance.

POSSIBLE CONSEQUENCES

For violation of Attendance Education Codes & Penal Codes Related to Truancy

- **Education Code, Section 48200.**
Students between the *ages of 6 and 18*, are required to attend school full-time, unless otherwise exempt.
- **Education Code, Section 48263.**
Habitually truant and habitually insubordinate students may be referred to **SARB**.
- **Education Code, Section 48292 & Penal Code, Section 272.**
Failure to attend school as required by law, may result in the filing of a complaint against the parents with the District's Attorney's Office.
- **Penal Code 270.1**
Violation of Penal Code 270.1 Parents or Guardians of elementary school pupils who are chronic truants is a misdemeanor.



What are the Legal Consequences?



- District Attorney Prosecution
- Violation of Education code 48293 a fine of up to \$500, parenting classes.
- Failure to enroll after a conviction of Education Code 48293(a) may be punished as civil contempt with a fine of up to \$1,000.
- Violation of Penal Code 270.1 a fine up to \$2000, up to one year in jail, any other conditions of probation the court deems appropriate.
- Violation of Penal Code Section 272 a fine up to \$2500, up to one year in jail, any other conditions of probation the court deems appropriate.
- Vehicle Code Section 13202.7 allows for a one year suspension or delay of California D.L. for a habitual truant age 13-17 plus \$100 fine, 20-40 hours of Community Service.

**EXCUSAS ACEPTABLES
PARA QUE UN
ESTUDIANTE ESTE
AUSENTE DE LA ESCUELA**

ACCEPTABLE

- Enfermedad personal (La escuela puede requerir una nota del doctor después de 5 días)
- Cuarentena bajo la dirección de un oficial de salud
- Cita personal con doctor, dentista u optometrista (La escuela puede requerir verificación de la cita)
- Servicios funerarios de un miembro de la familia inmediata (1 día en el estado, 3 días fuera del estado)
- Cita en la Corte (requiere verificación)
- Retiros religiosos (requiere 3 días de notificación previa, límite de 4 horas por semestre)
- Obtener las vacunas requeridas (no más de 5 días)

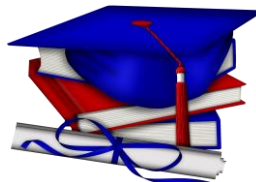


**EXCUSAS INACEPTABLES
PARA QUE UN ESTUDIANTE
ESTE AUSENTE DE
LA ESCUELA
(Ausencias delincuentes y sin
excusa)**

- Cuidado de niños u otros miembros de la familia
- Problemas personales
- Fuera de la ciudad por razones sin excusa
- Problemas de transporte
- Enfermedad de un miembro de la familia que no es emergencia
- Quedarse en la casa porque se despertó tarde
- Falta de vestuario apropiado
- Ausencias excesivas sin verificación del doctor (después de la 5ta. ausencia)

**Distritos Escolares
del Condado de Imperial**

Brawley Elementary School District
Brawley Union High School
Calexico Unified School District
Calipatria Unified School District
Central Union High School District
El Centro Elementary School District
Heber Elementary School District
Holtville Unified School District
Imperial County Office of Education
Imperial Unified School District
Magnolia Elementary School District
McCabe Union Elementary School District
Meadows Union Elementary School District
Mulberry Elementary School District
San Pasqual Valley Unified School District
Seeley Union Elementary School District
Westmorland Union Elementary School District



**La Ley de
California y
La Asistencia
Escolar**



Presente!

**Todos los días
en la escuela
y a
tiempo**

Ausentismo Crónico es la ley!

Definición de ausentismo crónico

A partir del 1 de enero del 2011, La Sección EC 48263.6: Cualquier estudiante sujeto a educación obligatoria de tiempo completo o educación continua obligatoria que esté ausente de la escuela sin una excusa válida por diez o más días escolares en un año escolar, a partir de la fecha de la inscripción a la fecha actual, se considera un ausente crónico.



Problemas crónicos de asistencia y el crimen van de mano en mano. Los estudios demuestran que el estudiante con problemas de asistencia de hoy es el delincuente juvenil de mañana. Por esta razón es que la oficina del fiscal del distrito y las escuelas del condado de Imperial están trabajando juntos para terminar con los problemas de asistencia.

Trabajando con los administradores de las escuelas, profesores, padres, y estudiantes, la oficina del fiscal del distrito interviene al comienzo del ciclo de los problemas de asistencia.

La meta no es castigar ni a los padres ni a los estudiantes, sino ayudar a los padres a entender las leyes de asistencia obligatoria para así poder prevenir que sus hijos tengan problemas crónicos de asistencia.



Mensaje a los Padres

La oficina del fiscal del distrito toma muy en serio el terminar con los problemas de ausentismo.

1. Los padres deben enviar a sus niños a la escuela porque quieren mejorar la calidad de vida para sus niños. La educación es tan esencial como el alimento, la ropa, y el abrigo en la vida de un niño.
2. Si hay problemas interfiriendo para que el niño asista a la escuela, la oficina del fiscal del distrito trabajará con las escuelas para encontrar recursos en la comunidad para ayudar a superar estos problemas.
3. Si es necesario, la oficina del fiscal del distrito tomará demanda legal si el niño no asiste a la escuela.

ASISTENCIA ESCOLAR

Por qué importa...

- Para tener un buen comienzo en su vida, un hijo necesita una buena educación.
- La asistencia regular a la escuela está directamente relacionada con un mejor éxito académico.
- La buena asistencia enseña responsabilidad. Los empleadores contratan a personas con buena asistencia.
- Una buena asistencia escolar asegura ayuda financiera y becas para el colegio o universidad.
- Los estudiantes que asisten a la escuela regularmente, se involucran menos con alcohol, pandillas, drogas y violencia.
- Los que asisten regularmente a la escuela tienden a ser menos víctimas o perpetradores de crímenes.

JUNTA DE REVISION ESCOLAR (SARB)


¿Qué es SARB?

Establecido por Legislatura de California en 1975 con el propósito de:

- Atender las necesidades de los estudiantes con problemas de asistencia
- Promover el uso de alternativas al sistema de la corte juvenil.
- Asegurar el cumplimiento de la **LEYES** relacionadas con la asistencia escolar.

COSECUENCIAS POSIBLES

Por violación de asistencia escolar y códigos penales relacionados con ausentismo escolar

- **Código de Educación, Sección 48200.**
Los estudiantes entre las *edades de 6 a 18 años* deben asistir a la escuela regularmente tiempo completo, a menos que tenga una excepción.
 - **Código de Educación, Sección 48263.**
Un estudiante con delincuencia de asistencia regular o insubordinación puede ser referido al comité SARB.
- 
- **Código de Educación, Sección 48292, y Código Penal, Sección 272.**
La falta de asistencia a la escuela requerida por la ley, puede resultar en la presentación de una queja en contra de los padres ante la Oficina del Procurador del Condado.
 - **Código Penal 270.1**
Violación Código Penal 270.1 del Código Penal 270.1 padres o tutores de los alumnos de la escuela primaria con ausencias crónicas es un delito menor.

¿Cuáles son las consecuencias legales?



- Enjuiciamiento por la oficina del fiscal del distrito
- Violación del Código de Educación 48293, una multa de hasta \$500, clases para padres.
- Falta de inscribirse después de una convicción de 48293(a) del Código de Educación puede ser castigada como desprecio civil con una multa de hasta \$1,000.
- Violación de 270.1 del Código Penal una multa de hasta \$2000, hasta un año de cárcel, cualquier otra condición de libertad condicional que el tribunal considere oportuno.
- Violación del Código Penal sección 272 una multa de hasta \$2500, hasta un año de cárcel, cualquier otra condición de libertad condicional que el tribunal considere oportuno.
- Sección 13202.7 del Código de Vehículos permite una suspensión de un año o retraso de licencia de manejo de California para un ausente habitual de 13-17 años de edad más \$100 de multa, 20-40 horas de Servicio Comunitario.

McCABE UNION ELEMENTARY SCHOOL DISTRICT

PARENTAL NOTIFICATION OF RIGHT TO REQUEST INFORMATION REGARDING TEACHER QUALIFICATIONS

The No Child Left Behind Act, which went into effect in 2001, requires that all schools which receive Title I funds notify parents of their right to request information regarding the professional qualifications of their child's teacher including:

- Whether the teacher has met state credential or license criteria for grade level and subject matter taught.
- Whether the teacher is teaching under emergency or other provisional status.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held.
- Whether the child is provided services by paraprofessionals, and if so, their qualifications.

Requests to receive the above information must be in writing. Responses will be sent no later than five days after the request is received at the school office.

Thank you.

NOTIFICACION A LOS PADRES CON RESPECTO AL DERECHO DE SOLICITAR INFORMACION ACERCA DE LAS CUALIDADES DE LOS MAESTROS

El Acto de Ningun Nino Debe Quedarse Detras, el cual entro en efecto en 2001, requiere que todas las escuelas que reciben fondos del Titulo I notifiquen a los padres acerca de sus derecho para pedir informacion acerca de las cualificaciones profesionales de los maestros de su hijo/a incluyendo:

- Si el maestro/a tiene las necesarias credenciales del estado o la criteria de la licencia para el nivel de grado y material que esta ensenado.
- Si el maestro/a esta dando clases bajo una credencial de emergencia o otro estatus provisional.
- La Carrera de bachillerato del maestro/a y cualquier otra certificacion de graduado o cualquier otro titulo que posee.
- Si su hijo/a se le provee servicio por un/una ayudante, y si es asi, cuales son sus cualificaciones.

Las solicitudes para recibir la informacion anterior debe ser por escrito. Respuestas seran enviados no mas de cinco dias despues de que se recibio la solicitud en la oficina de la escuela.

Gracias.

STUDENT ACCIDENT INSURANCE **2023-2024 School Year**

Dear Parents:

The McCabe Union Elementary School District does not provide medical, accident or dental insurance for pupils injured on school premises or through school activities. In accordance with Education Code Section 49472, the District is making available a low cost medical/dental accident insurance program. The purpose of this plan is to provide assistance at a minimum cost to meet some of the expenses for accidental injury. The plan does not provide unlimited coverage, but does offer substantial assistance in the event of injury.

There are two levels of benefits available. The "High Option" is recommended if your child has no family coverage or if your private coverage has a high deductible. All plans are available on a "School Time" or "24-Hour" (all day, every day) basis and can cost as little as \$11 (one-time annual payment). See rates below.

Please obtain a detailed brochure/application online at either of these website:


- McCabe: www.muesd.net (under the "Resources" tab / click the "Parents" tab)
- Pacific Educators: www.peinsurance.com (click on Products, then Student Insurance).
 - Please read the Student Benefits Plan Brochure to select the plan that best meets your needs.

NOW AVAILABLE AT NO COST – FREE PRESCRIPTION DRUG CARD – GET ONE AT YOUR CHILD'S SCHOOL OFFICE OR THE WEBSITE ABOVE

The plans pay the first \$500.00 in benefits in addition to other insurance, which can help you meet your primary insurance deductibles and/or co-payments.

Since the district does NOT provide medical/dental accident insurance, we urge that serious consideration be given to the program. If you have further questions, please call Pacific Educators, Inc., Student Accident Department at (800) 722-3365 or (714) 639-0962.

ONE TIME ANNUAL PAYMENT		
OPTIONS	HIGH OPTION	LOW OPTION
24-HOUR-A-DAY PLAN \$50,000 Maximum per Injury Grades Pre-K thru 8 Grades 9 thru 12	<input type="checkbox"/> \$161 <input type="checkbox"/> \$192	<input type="checkbox"/> \$75 <input type="checkbox"/> \$92
SCHOOL-TIME PLAN Maximum per Injury: \$50,000 for High Option \$25,000 for Low Option Grades Pre-K thru 8 Grades 9 thru 12	<input type="checkbox"/> \$25 <input type="checkbox"/> \$54	<input type="checkbox"/> \$11 <input type="checkbox"/> \$24
OPTIONAL FOOTBALL COVERAGE (2023 Season Only) Payable in addition to School-Time & 24-Hour \$25,000 Maximum per Injury Grade 9 Grades 10 thru 12	<input type="checkbox"/> \$80 <input type="checkbox"/> \$177	<input type="checkbox"/> \$36 <input type="checkbox"/> \$84
EXTENDED DENTAL OPTION <input type="checkbox"/> \$6		
TOTAL \$ _____ (Please do not send cash) MAKE CHECK PAYABLE TO: PACIFIC EDUCATORS, INC.		
NO REFUNDS ARE AVAILABLE		


 Superintendent

SEGURO DE ACCIDENTE PARA ESTUDIANTES
Año Escolar del 2023-2024

Estimados padres:

El Distrito Escolar McCabe Union Elementary **no provee seguro médico o dental en caso de accidentes** para alumnos lesionados en las áreas escolares o en actividades de la escuela. Para ayudarlos a proveer cobertura para su estudiante, el distrito tiene un programa de seguro de accidente médico/dental disponible, a bajo costo.

El propósito de este plan es el de proveer ayuda a un costo mínimo para cubrir algunos de los gastos por accidente o lesión. El plan no provee cobertura ilimitada, pero ofrece ayuda considerable en caso de accidente.

Hay dos niveles de cobertura disponibles. La "Opción Máxima" (High Opción) del nivel de beneficios es recomendada si su niño/a no tiene seguro médico familiar o si su seguro tiene un deducible muy alto. Todos los planes están disponibles basados en "Tiempo Escolar" o "24 horas" (todo el día, todos los días) y el costo puede ser tan mínimo como \$11.00 (un pago anual). Por favor lea el Folleto de Beneficios del Plan para Estudiantes y seleccione el plan que más le convenga de acuerdo con sus necesidades.

En vista de que el distrito **NO** provee seguro de accidente médico/dental, es urgente que usted considere seriamente este programa.

Por favor visite la oficina en la escuela de su hijo para obtener un folleto/solicitud detallado/a, o puede obtenerlo/a en el Internet

- McCabe: www.muesd.net (Pulse en "Resources" / después escoja "Parents")
- Pacific Educators: www.peinsurance.com (Pulse en "Products", después en "Student Insurance"). Por favor lea el folleto de Plan de beneficios estudiantiles para elegir el plan que mejor cumpla con sus necesidades.

Si tiene preguntas, por favor llame a Pacific Educators, Inc., Student Accident Department al (800) 722-3365 o (714) 639-0962

SOLO UN PAGO POR AÑO		
OPCIONES	Opción Alta	Opción Baja
PROTECCIÓN LAS 24 HORAS AL DÍA \$50,000 MAXIMO POR LESIÓN Grados P - 8 Grados 9 -12	<input type="checkbox"/> \$161 <input type="checkbox"/> \$192	<input type="checkbox"/> \$75 <input type="checkbox"/> \$92
PLAN TIEMPO ESCOLAR MAXIMO POR LESIÓN: \$50,000 Para Opción Alta \$25,000 Para Opción Baja Grados P - 8 Grados 9 -12	<input type="checkbox"/> \$25 <input type="checkbox"/> \$54	<input type="checkbox"/> \$11 <input type="checkbox"/> \$24
COBERTURA FÚTBOL AMERICANO (SOLO TEMPORADA 2023) \$25,000 MAXIMO POR LESIÓN Pagable en adición a los planes 24 horas o Tiempo Escolar Grado 9 Grados 10 - 12	<input type="checkbox"/> \$80 <input type="checkbox"/> \$177	<input type="checkbox"/> \$36 <input type="checkbox"/> \$84
OPCIÓN DE BENEFICIOS DENTALES EXTENDIDOS <input type="checkbox"/> \$6		
TOTAL \$ _____ (favor no enviar efectivo) HAGA CHEQUE PAGADERO A: PACIFIC EDUCATORS, INC.		
No Hay Reembolsos Disponibles		

Mary Kay Monahan
 Superintendente

WILLIAMS UNIFORM COMPLAINT PROCEDURES AND CLASSROOM NOTICE

K-8 Complaint Rights

Provided by the California Department of Education • Categorical Programs Complaints Management Office • 1430 N Street, Sacramento, CA 95815 • 916-319-0929

NOTICE TO PARENTS/GUARDIANS, STUDENTS, and TEACHERS:

Pursuant to California *Education Code 35186*, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present.

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 a semester for an entire semester.

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.

4. A complaint form may be obtained at the school office, district office, or downloaded from the school's Web site at www.muesd.net. You may also download a copy of the California Department of Education complaint form in English and in other languages from the following Web site: <http://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp>.

CONSENT AND RELEASE FORM FOR PHOTOGRAPHY AND/OR RECORDING OF STUDENTS

2023-2024 SCHOOL YEAR

The McCabe Union Elementary School District (MUESD) has many opportunities to highlight school sponsored events, learning experiences, and accomplishments of our students, staff, and programs via our website (www.muesd.net), newspapers, television broadcasts, training videos, and other media outlets.

In order to release photographs, video footage, and/or comments, and/or post on school website, we need parental permission. To approve or decline consent for your child's image/photograph or work to be used, please click on the acknowledgment page.

PARENT: By giving consent, I give permission for my child to be photographed, recorded, and/or interviewed by employees and/or representatives of MUESD for educational or public relations purposes. I authorize the use and reproduction by MUESD or anyone authorized by MUESD of any and all photographs and/or videotapes taken of my child, without compensation to me or my child.





McCABE UNION ELEMENTARY SCHOOL DISTRICT

Promotion/Graduation Information

To the Parents/Guardians of 8th Grade Students,

This notice is to inform parents at the beginning of the school year about the Promotion Program at the end of school. We want you to have ample time to discuss with your son/daughter the following items and not have any surprises of misinformation on this topic.

Graduation Requirements: The following requirements are hereby set forth in order for an 8th grade student to participate in the promotion ceremony.

The goal is for all students to maintain a 2.00 or above grade point average (G.P.A.) over the four quarters with teacher considerations for best work effort. A parent/teacher/student conference will occur as needed for students with a 2.00 G.P.A. or below G.P.A. to discuss strategies for improvement in order to meet the goal.

Promotion Is Not Automatic: If your child has been earning “F” grades or receiving poor test scores, your child may not be allowed to participate in the promotion ceremony. If your child owes the school money or detention hours, these things will need to be taken care of before your child will be allowed to participate in the promotion ceremony. Students may also lose this privilege with excessive office referrals or suspensions.

Your child must maintain a 2.00 G.P.A. average for all four quarters during 8th grade to be eligible to participate in the promotion ceremony. The Superintendent/ Principal will notify the parents of students who will not be promoted or who will not be allowed to participate in the program.

I hope this information will help us achieve the goal of all our 8th grade students being able to attend the Promotion/Graduation Program and other end of the year activities this year. If you have any questions, please call 335-5200.



SCHOOL PROCEDURES AND PROTOCOLS

The McCabe Union Elementary School District
would like to remind parents of the
following school procedures and protocols:

- **Balloons are not permitted on campus due to:**
 - Latex allergies for students and adults
 - Classroom, car line, and bus disruptions and distractions
 - Balloons released inside building with high ceilings and the possibility of triggering smoke detectors
 - The sound of a popped balloon may cause a panic

- **Due to the importance of instructional time, student deliveries will not be made during class time.**
 - Lunches may be left in the front office clearly labeled with the child's name. Please remind your child that it is his/her responsibility to check the office for their lunch on the way to the cafeteria. Office staff will not interrupt class due to the high volume of lunches delivered in a day.
 - Lunches may be left ONLY for your child and not to be shared with other students due to possible allergies.
 - Flowers and gift deliveries will not be accepted at either office and will be returned with the delivery person.

- **Birthday celebrations are not permitted on campus.**
 - Classes are limited to three (3) class parties per school year: Christmas, Valentine's Day, and End-of-Year
 - To comply with the [MUESD Wellness Policy](#), parents may not bring cupcakes, cakes, cookies, food items, or balloons at any time for the purpose of celebrating a child's birthday.
 - Parents and family members are welcome to eat lunch with their child in front of each school site. Adult MUST be listed as an emergency contact.
 - Parents are not permitted to eat with a child who is not their own.

McCabe Union Elementary School District Discipline Matrix

Student Action	Consequences
Tier 1 Behavior (Classroom Management)	
<ul style="list-style-type: none"> Gum/Candy Forgery Littering/Throwing food Behavioral Disruption (rudeness, disrespect, name calling, profanity, etc.) Attendance/Tardy Graffiti (personal belonging) Violation of School Rules (not prepared for class, unsafe acts) Defiance Destruction of Property PDA/Horseplay 	1st Offense: Warning 2nd Offense: Parent Notification 3rd Offense: Restorative Room
<ul style="list-style-type: none"> Dress Code 	1st Offense: Change Into Loaner 2nd Offense: Change Into Loaner/Parent Notification (office) 3rd Offense: Above & Restorative Room
<ul style="list-style-type: none"> Cheating Plagiarism 	1st Offense: No credit on assignment/Parent Notification 2nd Offense: Tier 2
Tier 2 Behavior (Office Referral/Support)	
<ul style="list-style-type: none"> Possession of Unauthorized Items Inappropriate Use of Technology 	1st Offense: Confiscate (Given to office-Parent Retrieval) 2nd Offense: Confiscate (Office Referral-Parent Retrieval) 3rd Offense: Tier 3
<ul style="list-style-type: none"> PDA/Roughhousing Insubordination, Defiance, Disrespecting Authority 	1st Offense: Office Referral/Parent Notification/Restorative Room 2nd Offense: Office Referral/Parent Conference/Restorative Room 3rd Offense: Tier 3
<ul style="list-style-type: none"> Graffiti (School/Other Person's Property) Destruction of Property Ditching Excessive Absence/Tardy Verbal Aggression/Provoking Theft 	1st Offense: Office Referral/Parent Notification/Restorative Room 2nd Offense: Office Referral/Parent Conference/Restorative Room 3rd Offense: Tier 3

Tier 3 Behavior (Administration)

- Sexual Harrassment/Assault
- Bullying
- Cyberbullying
- Drugs/Tobacco/Alcohol Possession or Use
- Campus Violence (mutual/battery)
- Destruction of Property
- Vandalism/Graffiti (major/second offense)
- Technology Violation/Unauthorized Use of Account
- Weapons/Dangerous Objects



Firearms Safety Memorandum

To: Parents/Guardians of Students in the McCabe Union Elementary School District

From: Ms. Mary Kay Monson, Superintendent

Subject: California Law Regarding Safe Storage of Firearms

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

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

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.¹
 - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian,

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

unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.²

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

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

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

Sincerely,



Ms. Mary Kay Monson

California Department of Education

² See California Penal Code section 25100(c).

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.



AB-452 Pupil safety: parental notification: firearm safety laws. (2021-2022)

SHARE THIS:



Date Published: 08/29/2022 09:00 PM

Assembly Bill No. 452

CHAPTER 199

An act to add Section 48986 to the Education Code, relating to pupil safety.

[Approved by Governor August 29, 2022. Filed with Secretary of State August 29, 2022.
]

LEGISLATIVE COUNSEL'S DIGEST

AB 452, Friedman. Pupil safety: parental notification: firearm safety laws.

The Interagency School Safety Demonstration Act of 1985 requires school districts and county offices of education to be responsible for the overall development of all comprehensive school safety plans for their schools operating kindergarten or any of grades 1 to 12, inclusive.

Existing law requires the governing board of a school district, at the beginning of the first semester or quarter of the regular school term, to notify parents or guardians of minor pupils of specified rights and responsibilities of the parent or guardian and of specified school district policies and procedures.

This bill would require a school district, county office of education, and charter school to annually inform parents and guardians of pupils at the beginning of the first semester or quarter of the regular school term of California's child access prevention laws and laws relating to the safe storage of firearms, as specified. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local program. The bill would require the State Department of Education, on or before July 1, 2023, to develop, and subsequently update as provided, in consultation with the Department of Justice, and provide to school districts, county offices of education, and charter schools, and, upon request, to provide to private schools, model language for the notice regarding those child access prevention and safe storage of firearms laws. The bill would make a school district, county office of education, charter school, private school, and the department immune from civil liability for any damages relating to the notice, as specified.

The bill would deem a local educational agency and the department in compliance with the above-described requirements if Senate Bill 906 of the 2021–22 Regular Session is enacted and becomes effective on before January 1, 2023, SB 906 adds Sections 49391 and 49392 to the Education Code, and the local educational agency and the department comply with the notice requirements of SB 906, as provided.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Guns are the third leading cause of death for kids in America. Every day, eight children and teens are shot in instances of family fire, a shooting involving an improperly stored or misused gun found in the home resulting in injury or death.

(b) Data shows that 75 percent of school shootings are facilitated by kids having access to unsecured or unsupervised guns at home. Eighty-seven percent of kids know where their parents' guns are kept, and 60 percent report that they have handled them.

(c) Two children and teens either die or survive a suicide attempt each day in our country. Over 80 percent of teens who commit suicide with a gun used one that belonged to someone in their home.

(d) Unfortunately, the COVID-19 pandemic only exacerbated this problem. Online distance learning resulted in schoolage children spending longer periods of unsupervised time at home while experiencing increased levels of social isolation and depression, with no access to the critical mental health services available in person at their schools. This all resulted in escalating suicide and accidental deaths caused by firearms found in the home.

(e) California has the country's strongest safe storage laws. More gunowners must be educated to protect our children from senseless death and injury and turn the statistics around.

SEC. 2. Section 48986 is added to the Education Code, to read:

48986. (a) (1) A local educational agency shall inform, through a notice in the manner prescribed in this section, the parents or guardians of each enrolled pupil of California's child access prevention laws and laws relating to the safe storage of firearms, including, but not limited to, Division 4 (commencing with Section 25000) of Title 4 of Part 6 of the Penal Code.

(2) The notice shall be provided annually at the beginning of the first semester or quarter of the regular school term.

(3) The notice shall be informed by the most updated model language developed pursuant to subdivision (c).

(b) (1) The notice described in subdivision (a) shall be made using any of the methods described in Section 48981 that apply and may be provided as a single notice for multiple pupils living in the same household.

(2) A school district shall provide the notice as part of the annual notification required pursuant to Section 48980.

(c) (1) On or before July 1, 2023, the department shall develop, in consultation with the Department of Justice, model language for the notice described in subdivision (a).

(2) On or before July 1, 2024, and each July 1 thereafter, the department shall update as necessary for any change in the law, in consultation with the Department of Justice, the model language developed pursuant to paragraph (1).

(3) The department shall share the model language developed and updated pursuant to paragraphs (1) and (2) in both of the following manners:

(A) With all local educational agencies for the purposes described in subdivision (a).

(B) Upon request, with any private school for distribution or potential distribution by the private school.

(d) A local educational agency, a private school, and the department are immune from civil liability for any damages allegedly caused by, arising out of, or relating to the notice if the entity provided the notice using the model language provided to it by the department.

(e) For purposes of this section, the following definitions apply:

(1) "Local educational agency" means a school district, county office of education, or charter school.



SB-906 School safety: homicide threats. (2021-2022)

SHARE THIS:



Date Published: 07/25/2022 09:00 PM

Senate Bill No. 906

CHAPTER 144

An act to add Article 8 (commencing with Section 49390) to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, relating to school safety.

[Approved by Governor July 21, 2022. Filed with Secretary of State July 21, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 906, Portantino. School safety: homicide threats.

Existing law requires school districts and county offices of education to be responsible for the overall development of a comprehensive school safety plan for each of their schools operating a kindergarten or any of grades 1 to 12, inclusive. Existing law requires a comprehensive school safety plan to include, among other things, the development of procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses. Existing law prohibits school employees from conducting a body cavity search or visual inspection under the clothing of a pupil, as provided. Under existing law, pupil and pupil property searches at a schoolsite by school officials are generally justified at their inception if reasonable grounds suggest a search will lead to relevant evidence.

This bill would require, on or before July 1, 2023, the State Department of Education, in consultation with relevant local educational agencies, civil rights groups, and the Department of Justice, to develop model content that includes, at a minimum, content that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. The bill would require, commencing with the 2023-24 school year, local educational agencies maintaining kindergarten or any of grades 1 to 12, inclusive, to, informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils. The bill would require a school official whose duties involve regular contact with pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school, and who is alerted to or observes any threat or perceived threat to immediately report the threat or perceived threat to law enforcement, as provided. The bill would require, with the support of the local educational agency, the local law enforcement agency or schoolsite police, as applicable, to immediately conduct an investigation and threat assessment, as specified. The bill would require the investigation and threat assessment to include a review of the firearm registry of the Department of Justice and, if justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat, a schoolsite search. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. Under the bill, a local educational agency serving pupils in kindergarten or any of grades 1 to 12, inclusive, and a school of a local educational agency, is immune from civil liability for any damages allegedly caused by, arising out of, or relating to these provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 8 (commencing with Section 49390) is added to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 8. Threats of Homicide at School

49390. For purposes of this article, unless the context requires otherwise, the following definitions apply:

(a) "Law enforcement" means any of the following:

- (1) A peace officer employed or contracted by a school, school district, or local educational agency for school safety purposes.
- (2) A police or security department of a local educational agency.
- (3) A local law enforcement agency or agencies with geographic jurisdiction over a local educational agency.

(b) "Local educational agency" means a school district, county office of education, or charter school serving pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school.

(c) "Reasonable suspicion" means articulable facts, together with rational inferences from those facts, warranting an objective suspicion.

(d) "School official" means any certificated or classified employee of a local educational agency or member of the school district governing board, county board of education, or governing body of a charter school whose official duties bring the individual in contact with pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school, on a regular basis.

(e) "Threat or perceived threat" means any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual.

49391. (a) (1) On or before July 1, 2023, the department shall develop model content, in consultation with relevant local educational agencies, civil rights groups, and the Department of Justice.

(2) The model content developed pursuant to paragraph (1) shall include, at a minimum, content that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms, including, but not limited to, Division 4 (commencing with Section 25000) of Title 4 of Part 6 of the Penal Code.

(b) The department shall update the model content on a yearly basis as necessary to reflect any changes in law.

49392. (a) Commencing with the 2023–24 school year, and each school year thereafter, a local educational agency serving pupils in kindergarten or any of grades 1 to 12, inclusive, shall, informed by the model content developed by the department pursuant to Section 49391, include in the annual notification pursuant to Section 48980, to the parents or guardians of pupils in kindergarten or any of grades 1 to 12, inclusive, information related to the safe storage of firearms.

(b) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.

49393. (a) A school official who is alerted to or observes any threat or perceived threat, as described in subdivision (e) of Section 49390, shall immediately report the threat or perceived threat to law enforcement. The

report shall include copies of any documentary or other evidence associated with the threat or perceived threat.

(b) When two or more school officials jointly have an obligation to report pursuant to subdivision (a), and when there is agreement among them, the report required by this section may be made by any of them in a single report. A school official who has knowledge that the designated reporting school official has failed to make the single report shall thereafter make the report.

(c) Law enforcement shall keep a record of any report received pursuant to this section.

49394. (a) Upon the notification described in Section 49393, the local law enforcement agency or the schoolsite police, as described in paragraphs (1) and (2) of subdivision (a) of Section 49390, as appropriate, with the support of the local educational agency, shall immediately conduct an investigation and assessment of any threat or perceived threat described in subdivision (e) of Section 49390.

(b) The investigation and threat assessment under subdivision (a) shall include a review of the firearm registry of the Department of Justice.

(c) The investigation and threat assessment under subdivision (a) shall include a search conducted at the schoolsite, only if the search is justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat.

49395. A local educational agency serving pupils in kindergarten or any of grades 1 to 12, inclusive, and a school of a local educational agency, is immune from civil liability for any damages allegedly caused by, arising out of, or relating to the requirements of this article.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

(2) "Private school" means a person, firm, association, partnership, or corporation offering or conducting private school instruction in the state.

(3) "Private school instruction" means instruction at the elementary or high school level for one or more pupils who are 6 to 18 years of age, inclusive. Private school instruction includes, but is not limited to, instruction by conventional or traditional private schools, private school satellite programs, private online or virtual schools, and certified nonpublic nonsectarian schools.

(f) (1) If a local educational agency provides a notice required by Section 49392, the local educational agency shall be deemed to have complied with the requirements of subdivisions (a) and (b), as applicable.

(2) If the department develops model language pursuant to Section 49391, the department shall be deemed to have complied with the requirements of subdivision (c).

(3) This subdivision shall only become operative if Senate Bill 906 of the 2021–22 Regular Session is enacted and becomes effective on or before January 1, 2023, and adds Sections 49391 and 49392 to the Education Code.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

McCabe School

Comprehensive School Safety Plan 2023-2024

Public Version

Revised: January 25, 2023
Board Approved: February 14, 2023

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Comprehensive School Safety Plan (CSSP)

ABOUT THE COMPREHENSIVE SCHOOL SAFETY PLAN (CSSP)

The development of a comprehensive school safety plan is mandated by California Education Code 32281. This mandate, which was established by Senate Bill 187, states that each school's Site Council, or a Safety Planning Committee authorized by the Site Council, shall develop a "safety plan" relevant to the needs and resources of the school. "Safety", in terms of these plans includes aspects of social, emotional, AND physical safety for both youth and adults at our schools.

The Comprehensive School Safety Plan shall be used to provide details regarding each school's strategies, programs and procedures to support a safe school environment. The California Education Code sections 32280-32289 outline the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school. Requirements are:

- Assessment of school crime committed on school campuses and at school-related functions
- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The information contained in a school's safety plan may be supplemented by information not specified in the California Education Code sections 32280-32289.

Safety Planning Committee Members

The Safety Planning Committee is made up of a combination of staff and parents who work together to review data, identify areas of need, and help us to prioritize the programs we provide for our students and their families.

Category	Name	Category	Name
Administration	Lucio Padilla Jr.	Board Member	Alexa Horne
Administration	Gina Sanchez-Macias	Board Member	Dr. Edgar Aguilar
Administration	Veronica Hernandez	Classified Management	Nick Curry
Director	Lola Larios	Parent	John Reed
Teacher	Liz Cochran	Classified	Jennifer Castillo

We appreciate the time and effort of this group in supporting the school's efforts to engage and educate our parent community.

Roles and Responsibilities:

- ✓ Develop the school site safety plan
- ✓ Actively review and assess the current status of the school crime committed on campus and at school-related functions
- ✓ Identify safety-related goals and strategies and /or programs that will be used to meet those goals for the upcoming school year
- ✓ Review and report progress of safety plan and goals to the School Site Council, staff, parent groups, and Board of Trustees

School Site: McCabe Elementary School

Fiscal Year: 2022/2023

We, the McCabe School Site Council (SSC) and the McCabe School Safety Planning Committee (SSPC), have read and approved this Safe School Plan pursuant to Education Code 32280-32289.5. We have consulted with a representative of a law enforcement agency in the writing and development of the comprehensive school safety plan. It addresses the safety concerns identified through a systemic planning process. It identifies strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus.

Date Approved by the Committee: _____

Principal Signature (Required)

Principal Signature (Required)

Teacher Signature (Required)

Classified Employee Required

Parent/Guardian Signature (Required)

Other Signature (Optional)

Other Signature (Optional)

Other Signature (Optional)

Verifications

This plan must be evaluated during the current fiscal year and was revised prior to March 1st.

_____ Confirmed

These following individuals were notified of the public meeting: MTA, CSEA, SSC and all persons requesting notification. This plan was communicated to the public at a public meeting at the school site on this date: February 7, 2023.

District Office Use: Date Plan Received from School Site: _____

Date Plan Approved: _____

Signature _____

Consultation with Law Enforcement Agency

SSC/SSPC must consult with a representative from a law enforcement agency in the writing and development of the Safety Plan. The following representative was consulted during the development of this plan.

Name of Law Enforcement Representative: _____

Date of Consultation: _____

Assessment Data

The School Safety Plan must include an assessment of the current status of school crime committee on the school campus at school-related functions. This may be accomplished through various types of assessment data.

Assessment data included in this plan are (check boxes):

- ✓ Local law enforcement crime data
 - ✓ Suspension/Expulsion data found in California Longitudinal Pupil Achievement Data System
 - ✓ Behavior Referrals
 - ✓ Attendance rates/School Attendance Review Board Data
 - ☐ School Improvement Plan
 - ☐ Property Damage Data
 - ☐ Other: _____
-

Safety Strategies

The School Safety Plan must include an identification of appropriate strategies and programs that provide/maintain a high level of school safety.

Safety Strategies are included in this plan:

- ✓ Yes
- ☐ No

Required Safety Procedures

The School Safety Plan must include all the following:

- ✓ Child Abuse Reporting Procedures
 - *Included in District Policies Section
- ✓ Disaster Procedures, routine and emergency, including adaptations for pupils with disabilities
- ✓ Earthquake emergency procedures that include the five (5) following items:
 1. A school building disaster plan
 2. A drop procedure
 3. Dates and times drills held (once each quarter in elementary, once each semester in secondary schools)
 4. Protective measures taken before, during, and after an earthquake
 5. A program to ensure that pupils and both certificated and classified staff are aware of and are trained in earthquake emergency procedure system
- ✓ Procedures to allow a public agency to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency which affects public health or welfare
- ✓ Policies and procedures which lead to suspension and/or expulsion
 - *Included in District Policies Section
- ✓ Procedures to notify teachers of dangerous pupils
- ✓ Policy prohibiting discrimination, harassment, intimidation, and bullying.
 - *Included in District Policies Sections
- ✓ Provisions of any school site dress code, including prohibition of “gang-related” apparel.
 - *Included in District Policies Section
- ✓ Procedures for safe ingress and egress of pupils, parents, and employees from school site, including access to school campus
- ✓ Procedures that create a safe and orderly environment conducive to learning at the school.
 - *Included in District Policies Section
- ✓ Access to the school campus (visitors)
- ✓ The rules and procedures on school discipline
 - *Included in District Policies Section
- ✓ Crisis Response Plan
- ✓ Hate crime reporting procedures and policies.
 - *Included in District Policies Section

District Mission Statement

Our mission of McCabe School District is to be the model of educational excellence, innovation and leadership. We are committed to work collectively with students, families, and the community. We are dedicated to provide a safe and conducive environment for learning.

School Demographics

McCabe Elementary School occupies approximately 35 acres of property at the corner of McCabe and Austin Roads in Imperial County. This includes 20 acres west of the main McCabe campus that were purchased from Mr. And Mrs. Virgil Corfman in 2006. The development of this property was completed during the summer of 2008 and the Corfman portion of McCabe School is used to house students in grades 4-8 and was officially opened in the fall of 2008.

McCabe Union Elementary School District is located just southwest of El Centro. Our TK through 8th Grade district is considered a rural school that feeds into the Central Union High School District. California Longitudinal Pupil Achievement Data System (CALPADS) enrollment for Fall 2022 was 1209 students. The socioeconomics of the school community are comprised of a wide range of occupations, from professionals to unskilled laborers. One indicator of the economic status is the number of federally funded free or reduced lunches served in the District. The Fall 2022 Unduplicated Pupil Percentage (UPP) was 41%. Student enrollment continues to decline and it is the District's goal to continue with a 24:1 in TK through 3rd Grade. The school was designated a California Distinguished School during the 2005-2006, and 2011-2012 school years. The California Department of Education recognized the McCabe Union Elementary School District as an outstanding educational program and awarded the District the California Gold Ribbon Schools Award during the 2015-2016 school year.

Current Assessment of School

During the 2021-22 school year, McCabe Union Elementary School District had a suspension rate of 0.8% and had an increase of by 0.8% from the previous year. It is worth noting that the increase reflects students returning to in-person instruction for the full school year compared to the previous year when they returned to in-person instruction on a staggered scheduled in February of 2021.

During the 2022 California Dashboard, the school was identified with "Very High" in the area of chronic absenteeism with a percentage of 27.2%. This high absenteeism rate can be attributed to the ongoing impact of COVID-19.

An analysis of behavior referrals reveals that most incidents of referrals to the office are for minor infractions. Most referrals are for students lacking conflict resolution skills to resolve disagreements among themselves.

Action Plan - Annual Safety Goals

Goal 1:	Provide training for students, staff, and parents on safety procedures to include CatapultEMS.
	Strategy 1.1 – Update and inform educational partners on the annually revised safety plan.
	Strategy 1.2 – All staff will be trained in school safety procedures at the beginning of the year, focusing on, but not limited to Safe and Orderly Environment section of the School Safety Plan.
	Strategy 1.3 – All staff will review Immediate Response Actions bi-annually.
	<p>Strategy 1.4 – All staff and students will participate in monthly drills, such as duck and cover (earthquake), evacuation (fire drill), or modified/full lockdown. To include, but not limited to the following:</p> <p>9 fire/evacuation drills</p> <p>2 earthquake/evacuation drills</p> <p>At least 2 lockdown drills: 1 modified/ 1full lockdown/evacuation drill</p>
	Strategy 1.5 – Parents will be invited to attend various trainings related to school safety and wellness. .
Goal 2:	Increase student safety awareness and positive behavior climate as measured by the suspension and expulsion rate.
	Strategy 2.1 – Prevention and awareness training will be provided to students in the areas of Harassment/Sexual Harassment, Cyber/Bullying, Threat of Violence, and components of ED code 48900
	Strategy 2.2 – Increase student involvement of monthly PeaceBuilder character traits.
	Strategy 2.3 – Implement lunch period activities to increase positive student interactions.
	Strategy 2.4 – A monthly student digital citizenship program will be established to support students in the proper use of technology.

Section 1

Safety Plan

Physical Environment Component

Preface

The McCabe Union Elementary School District assumes the responsibility of providing a safe environment for students, staff members, parents, and other visitors while being present at our school. The purpose of this safety plan is to provide the information necessary to enable district personnel to ensure a safe environment during an emergency situation involving students, personnel, community members, and facilities during school-sponsored classes, programs, and activities. It is important to remember all school personnel, both classified and certificated, as well as district and appropriate community resources should be utilized in any comprehensive emergency response plan. In the event of an emergency that requires parents to be notified, the district will use Parent Square to keep parents informed. The website will also be updated to keep everyone informed. In the event of such an emergency, the School Board will always be notified. The school has adopted Catapult EMS as its Emergency Mass Notification System and provides on-going training for staff and monthly practice of emergency drills. Security cameras have been installed to provide an additional layer of security.

Special Note

It is vitally important that all school personnel take seriously any comments made by students involving violence, either to themselves or others. Please take the responsibility to report any such comments to an administrator, even though at the time, the comments may seem to have been made in jest.

In the event of an active assailant situation and shots, gunfire, or other life threatening events are observed or are heard, it is the responsibility of all personnel to initiate lockdown procedures and notify administration. A lockdown must be a response to a clear and present danger to the safety of students or staff at a school site.

School Safety Plan

Physical Environment Component

Responsibilities of School Personnel

Administration

The school site administrators are responsible for all pre-disaster and preparedness for their school.

They are subject to the directive and guidelines issued by the McCabe Union Elementary School District Superintendent or designee. In the event of an emergency, they are designated representatives who will assume overall directions of disaster procedures at the school.

In discharging this responsibility, the principal of the school shall:

1. During Pre-Emergency Conditions:

- Appoint a designee who shall assume the duties of the principal in his/her absence and identify duty assignments of other school personnel that are found in the School Site Emergency Plan under the Incident Command System (ICS) section

2. Utilize directives and guidelines established by the school district to:

- Develop a disaster and preparedness plan that shall be kept operative at all times
- Ensure that school personnel and students are properly instructed in the correct school management plan
- Ensure that there is an adequate warning system available and that the various alarm signals are known and understood by students and staff
- Survey (with the fire department personnel) the area of comparative safety for groups to use in any type of disaster
- Plan (with fire and police department personnel) primary and alternative traffic control plans for pedestrian and vehicular movements within the school plan
- Arrange for instruction and training of students to ensure their safety
- Coordinate with staff the maintenance of all emergency equipment and supplies in usable condition at all times by checking them at least annually
- Know the location and operation of utility shut-off
- Communicate with students and parents about the school safety plan
- Conduct regularly scheduled drills and maintain a record of these in the school office
- Provide substitutes with information regarding their responsibilities, evacuation routes, and general procedures
- Demonstrate the use of emergency equipment utilized at the school

3. During Emergency and Post-Emergency Conditions:

- Assume overall direction of school crisis management
- Direct evacuation of building(s), using fire evacuation procedures
- Arrange for transfer of students when their safety is threatened
- If students are to be released from the school, issue instructions to teachers

Teachers

Teachers will be responsible for the supervision of students. They will follow the instructions and guidelines of the McCabe Union Elementary School District School Safety Plan and the specific instructions from the Superintendent, Principal or designee.

In discharging their responsibility, teachers shall:

1. During Pre-Emergency Conditions:

- Be knowledgeable of the hazardous effects of different emergencies and the survival techniques for each
- Provide instruction and practice for students in the techniques of survival and emergency procedures to be followed
- Keep personal information on each student accessible at all times – Red Binders
- Keep posted (in their classroom) the emergency plan procedure and the evacuation map
- Leave written instruction for substitutes on safety procedures

2. During Emergency and Post-Emergency Conditions:

- Supervise the evacuation of students to inside or outside assembly areas
- Remain with students until relieved of responsibility by the Superintendent or Principal. When class relocates, take roll (as soon as possible)
- Report missing students to the principal or designee. If there is reason to believe that students may be endangered in a school structure, attempt rescue measures with available trained personnel
- Render first aid, restore order, and assist staff and students as needed
- Release students only to authorized persons by following proper sign out procedures

Campus Maintenance Manager

The responsibility of the campus maintenance worker shall be:

1. During Pre-Emergency Conditions:

- Maintain all fire equipment (extinguishers, hoses, etc.) in good working condition.
- Assure fire alarm and public address system are in working order
- Maintain a set of the building blueprints
- Be knowledgeable of the hazardous effects of different emergencies and the survival techniques for each

2. During Emergency and Post-Emergency Conditions:

- Shut off all utilities immediately when directed to do so
- Conduct damage control to limit damage to the school facility
- Survey and report damage to the school principal
- Assist as needed and where directed to do so

Substitute Employees

The responsibility of a substitute employee shall be:

1. During Emergency and Pre-Emergency Conditions:

- Become familiar with the evacuation routes and general emergency procedures at the school site
- Follow the lead and support site staff that are assigned to their assignment during an emergency or site drill

2. During Emergency and Post-Emergency Conditions:

- Follow the lead and support site staff that are assigned to their classroom during an emergency or site drill

- Lead or Co-lead the accounting for all students in their attendance
- Assist where directed to do so

Parents – Students – Visitors

The responsibility of the parents, students, and visitors shall be:

- Students must familiarize themselves with the preset evacuation routes
- Parents must provide the school with emergency contact numbers where they can be contacted at any time during school hours and after school hours
- Have all necessary medical information on file in the school office
- Visitors will only enter the school campus through the office
- All visitors must report to the office and will be directed where to reunite with child
- The visitor sticker must be worn at all times while visiting the campus

In the event of a campus emergency:

- Students must follow directions without hesitation
- Parents must follow the direction of the administrator in charge and assist as needed
- There will be a designated waiting area for parents to pick up their students in the front of the office

Section 2

Safety Plan

School Safety Compliance

Child Abuse Prevention and Reporting

Child abuse can be any of the following:

1. A physical injury which is inflicted on a child by another person other than by accidental means.
2. The sexual abuse, assault, or exploitation of a child.
 - The negligent treatment or maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare, whether the harm or threatened harm is from acts or omissions on the part of the responsible person.
 - The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition.
 - The willful harming or injuring of a child or endangering of the person or the health of a child where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child abuse does *not* include:

1. A mutual fight between minors
2. An injury that is caused by the actions of a peace officer using reasonable and necessary force within the scope of his or her employment
3. An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
 - To stop a disturbance threatening physical injury to people or damage to property
 - For purposes of self-defense
 - To obtain possession of weapons or other dangerous objects within control of a pupil
 - To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

Reference Policy – Child Abuse Reporting Procedures Board Policy AR 5141.4; BP 5141.4

A Safe and Orderly School Environment Conducive to Learning

The McCabe Union Elementary School District will provide a safe, nurturing community in which to learn so each student can become competent and self-sufficient in the areas of academic, physical, social, and emotional competencies. The McCabe Board of Education accepts the responsibility for developing policies related to conduct and discipline. Administration has the duty and responsibility to implement those policies. Teachers shall enforce the discipline and conduct rules in the instance of minor violations and in other circumstances refer major violations to administration. It is the student's responsibility to know the rules of the school and to obey them. Parents or guardians have the responsibility of knowing the rules and communicating about them with their children and with the school to help develop a positive learning environment. Our goal is to provide our students with the best possible education. The students and the adults in their lives, teachers, bus drivers, parents, other support staff, and guardians all have a major role in making that education count. Individual behavior, especially in large groups, plays a major role in how well students learn.

1. Student Rights and Responsibilities

- It shall be the right of students to:
 - a. Have a safe, healthy, orderly, and courteous school environment
 - b. To learn in an environment that is free from bullying and other forms of intimidation and harassment
 - c. Take part in all district activities on an equal basis
 - d. Attend and participate in school programs unless suspended following due process,
 - e. Have school rules and conditions available for review
 - f. Have, in all disciplinary matters, the opportunity to present their versions of the facts and circumstances
 - g. Participate in a program that is free of verbal, physical, sexual, and other forms of personal

- harassment, and
- h. Attend a school that is free from verbal, written, or physical threats of violence
- It shall be the responsibility of students to:
 - a. Follow all district policies, and rules
 - b. Work to the best of their ability in all academic and extracurricular-pursuits and strive toward the highest level of achievement possible
 - c. Hold themselves to the highest standard of conduct, demeanor, and sportsmanship
 - d. Accept responsibility for their actions
 - e. Seek help solving problems that might lead to disciplinary procedures
 - f. Be in regular attendance at school and in class
 - g. Contribute to the maintenance of an environment conducive to learning
 - h. Show respect due other persons and property
 - i. Dress in accordance with standards established by the Board of Education
 - j. Make constructive contributions to the school, and
 - k. Report accurately the circumstances of school-related issues

2. Attendance

- Bringing students and teachers together in a classroom is how the process of education takes place. Any time students are not present for instruction something is lost which may not be regained. Where this loss is severe, the student may not be able to successfully complete the requirements of the course. Good attendance usually results in fewer school dropouts and a higher learning rate. The habit of regular attendance carries over into business and family life. It also increases the district's revenues through state aid.
- Students are expected to be in school unless they have an excused reason to be absent. The school is not opened for students until 7:30 AM. Students are supervised outside until 8:10 AM for the bell before going to classrooms. Attendance will be taken in all homerooms at 8:10 AM.
- Students who are not in their assigned rooms when attendance is taken will be considered absent.
- Students who are late to school must report to the office to obtain a late pass. Teachers will not accept a student into a classroom after 8:10 AM without a late pass.
- When a student is ill or otherwise absent, parents/guardians should phone the school with this information. The school numbers are (760) 335-5200 and (760) 352-5443. Every absence must be verified. When returning from an absence, students must submit a note from a parent or guardian. The following information should be included:
 - a. Parent's name
 - b. Child's name
 - c. Child's teacher's name
 - d. Date of the absence
 - e. Exact nature of illness or reason for absence
 - f. Parent's signature on note
- Before reporting to classroom, these students must report to the Office with their signed excuse(s) and pick up their admission slip. Students not having an excuse will be expected to bring one the following day. Students with excessive tardies/absences will be referred to the Principal for possible disciplinary action.
- Truancy: Truancy is absence without knowledge and/or consent of parent/guardian. Truancy is a violation of the California Education Code and is subject to disciplinary measures imposed by the school and, in serious cases, by the Court System. The following is considered truancy:
 - a. A pupil absent from school three days in one school year without a valid excuse.

3. Student Behavior – Code of Conduct

- The Code of Conduct is a guide to acceptable behavior. *It is not meant to cover every possible incident.*
- All students will be held accountable for his/her actions in accordance with school rules, district

policy, the California Education Code, and criminal and civil laws. Students may be assigned detention, in-school suspension, or out-of-school suspension depending upon the severity and circumstances of their actions. A parent conference with Administration may be required.

- When unacceptable student behavior occurs, it is the responsibility of the staff member who is in closest proximity to the incident to take whatever action is necessary to protect the student, other students, staff, and school property.
- Alcohol, Tobacco, or Other Drugs (ATOD): Student possession, use, distribution or sale of alcohol, tobacco, or other drugs in any form on district premises, at school-sponsored activities, or otherwise while the student is under the jurisdiction of the McCabe School District, is prohibited
- Disrespect: Use of rude and impolite behavior.
- Harassment: The district is committed to safeguarding the right of students to learn in an environment that is free from harassment on the basis of sex, race, color, or national origin.
- Bullying/Cyberbullying: Including but not limited to, cyberbullying, intimidation, 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 is a very serious matter. Anyone seen bullying or intimidating another student will be disciplined.
- Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.
- Students are expected to immediately report incidents of bullying to the principal or a teacher.
- Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.
- If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the Principal. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.
- Classroom Disruption/Insubordination: Behavior that is deemed contrary to a productive classroom environment or healthy school environment is not acceptable. Insubordination and/or classroom disruptions can lead to suspension from school depending on the severity of the case
- Language: Swearing, inappropriate language, or gestures are not acceptable
- Gum Chewing: Gum chewing is not allowed at school or on the school bus at any time
- Public Display of Affection: Public displays of affection while on school grounds are inappropriate
- Stealing: Stealing is a serious matter and anyone caught stealing will be disciplined
- Weapons: No person shall have in his/her possession on school premises (includes school buses) any knife, explosive, dangerous chemical, or other object which is not necessary for school activities and which is considered a weapon. Under the FEDERAL GUN FREE SCHOOL ACT (Public Law 103- 227), any student possessing or bringing to school a firearm shall be suspended from school for at least one year following a formal Superintendent's Hearing. This also pertains to "toy guns"
- Fighting: Fighting is an inappropriate behavior. Unprovoked assault may be followed by legal charges. Defending oneself will be considered and evaluated
- Students are to resolve their disputes without resorting to violence
- Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence
- Students needing help in resolving a disagreement, or students observing conflict may contact an adult
- Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students
- A pupil is tardy without a valid excuse, in excess of 30 minutes on each or more than three days in one school year
- Students who are truant will sit four lunch recesses and be referred to School Attendance Review Board (SARB) at the discretion of administration
- Leaving School Grounds: Once students arrive at school, they may not leave the property without permission.
- Cheating: Using and copying the work of others will not be accepted. This includes cheating on tests and other assignments. Students may be penalized academically and behaviorally for cheating.

- Teachers may use discretion to keep students after school for up to 15 minutes. If necessary for a student to stay more than 15 minutes after school, the parent or legal guardian will be called. California law allows school personnel to detain students up to one hour after school for assistance, to make up time due to tardiness, for behavioral reasons, etc., provided the parents or legal guardians are notified. Parents or legal guardians are responsible for arranging transportation home.
- Students are referred to SARB if they have persistent behavioral problems in school and when normal avenues of classroom, school, and district counseling do not resolve the situation.

Hate Crime Consequences: Suspension and Expulsion/Due Process

It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state.

"Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

Disability, gender, nationality, race or ethnicity, religion, sexual orientation, association with a person or group with one or more of these actual or perceived characteristics.

Reference Policy – Suspension and Expulsion Policies – Inclusive of Hate Crime

Reporting Procedures Board Policy AR 5144, 5144.1; BP 5144, 5144.1

Employer Security Teacher Notification of Dangerous Pupils

The Superintendent or designee shall inform the teacher of every student who has caused or tried to cause another person serious bodily injury or any physical injury which requires professional medical treatment. This information shall be based upon written district records or records received from a law enforcement agency. Teachers shall receive the information in confidence and shall not disseminate it further. (Education Code [49079](#))

The above information shall be made available for teachers to read, and a copy shall be kept in the student's file.

Reference Policy – Board Policy AR 4158

Nondiscrimination/Harassment

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

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

Reference Policy – Nondiscrimination/Harassment Board Policy AR 5145.3; BP 5145.3

Uniform Complaint Procedures

The California Code of Regulations (Title 5, Section 4600 et seq.) requires the districts, among other things, to adopt and publish procedures referred to as the Uniform Complaint Procedures (UCP) that provide for prompt and equitable resolution of discrimination, harassment, intimidation, and bullying complaints. The district must notify students, employees, and parents, as well as others, of its local complaint procedures and identify the

person or persons responsible for processing complaints.

Reference Policy – Nondiscriminatory and Harassment Board Policy AR 5145.7; BP 5145.7

Bullying/Cyberbullying

Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying is a form of violence. It can be physical, verbal, psychological, or sexual. Here are some examples of bullying:

1. Physical: hitting, kicking, spitting, pushing
2. Verbal: teasing, threatening, name-calling
3. Psychological: excluding someone, spreading rumors, intimidating
4. Sexual: touching, assault, exhibitionism, and many of the actions listed above

Anyone that attempts to assume the identity of a victim for the purpose of publishing material in their name that defames or ridicules them. Bullying may also occur through the Internet or other forms of technology. This is known as cyberbullying. It is sending or posting hurtful material. Bullying is common, but it should not be viewed as a normal part of growing up. It is more damaging to children than previously thought. Bullying has a negative effect on a student's ability to learn. Schools are responsible for creating safe environments for all students. They must work to prevent bullying, and they must respond to it when it happens.

Cyberbullying or online bullying is a term used to refer to bullying over electronic media. Cyberbullying is willful and involves recurring or repeated harm inflicted through electronic text. Cyberbullying can be as simple as continuing to send e-mail to someone who has said they want no further contact with the sender. Cyber-bullies may also include threats, "putdowns" or hate-motivated speech. Cyber-bullies may publish the personal contact information of their victims.

Reference Policy - Bullying/Cyberbullying BP 5131.2

Dress Code

Students are expected to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Reference Policy – Dress Code Board Policy AR 5132; BP 5132

Student Release During School Hours

In an emergency or on special occasions, it may be necessary for a student to leave school grounds before general dismissal time. For early dismissal, the school requires a written note, or a phone call by the parent/ legal guardian preferably before 11:00 am. Parents may also make the request in person in the front office. The request should include the time of dismissal and whether the child will return the same day. Students will be issued a blue note from the office. Before leaving campus, the parent or anyone authorized by the parent in the emergency card must sign out the student(s) from the office using Raptor, the visitor management system by presenting their drivers license the first time the student is signed out. If the student returns the same day, he/she must sign in at the office. Parents are to meet their children in the office.

Students may not be released to relatives or other adults not listed on his/her emergency card. Any person listed on the emergency card must have a photo identification and a note of released signed by the parent or legal guardian of the child at the time of pick up. No child will be allowed to walk or ride their bike to and from school.

Safe Ingress and Egress

McCabe Union Elementary School District is in a rural campus setting. All students and employees enter the campus through the designated entrances before school starts. Once the school day begins, all visitors will only enter and exit through the front entrances. Students are brought to school by parents or transported by district buses. Students being transported by car are to use the crosswalk, or exit their cars in the supervised car line. At the McCabe campus students are loaded into cars by staff-members or picked up by parents directly from the carline.

- Students are monitored to ensure a safe pick-up in the car line.
- All bus students are dropped off at the bus stop between the school sites. They exit the bus directly onto the fenced playground. At the end of the day students are to report to their designated bus loading zone and wait in line for the bus driver to open the bus. Bus loading zones are monitored at the end of the day.
- As needed, before, during and after school, the campus is supervised by the principal and other school personnel. There is sufficient supervision to allow students to enter and leave campus undisturbed and safely.

Weapons and Dangerous Instruments

The Board of Trustees recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons. The Board prohibits any students from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds, or buses, at school-related or school sponsored activities away from school, or while going to or coming from school.

Reference Policy – Weapons and Dangerous Instruments Board Policy AR 5131.7; BP 5131.7

Visitor on Campus Procedures

All campus visitors are required to stop by the school office to sign into Raptor, our Visitor Management System, with his/her ID and receive a visitor's pass. Visitors must return to front office to turn in visitor's pass when leaving. No parent, guardian, or visitor should be on school grounds or in classrooms without a visitor's pass during school hours.

Access to Public Agencies

McCabe School District allows access to public agencies as needed. The school is equipped with two barrier gates that are locked at all times and will be opened for emergency vehicles. McCabe School is designated as a shelter in the event of an emergency and has a shelter agreement with American Red Cross.

Section 3

Emergency Response Plans

Disaster Emergency Response Plan – SEMS & Immediate Response Actions

Our district provides a wide variety of trainings related to school safety to all staff. This includes the following: Bloodborne Pathogens Awareness, Mandated Reporting, Sexual Harassment, Homicide and Suicide Prevention, Playground Supervision, Bullying Prevention, Integrated Germ Management and Cardiopulmonary Resuscitation. In addition, our district participates in one modified lockdown drill and one full lockdown drill per year. Students and staff are trained on what to do in the event of an emergency. Teachers work with their students on being situationally aware of their surroundings and listen to the adults when outside. Staff is also situationally aware of their surroundings and on how to get students' attention in the event of an emergency. There is a training for all staff at the beginning of the school year and prior to an emergency preparedness drill. Staff is also trained on using CatapultEMS, our emergency management system, to communicate during an emergency. Our single school district also has both the transportation department and maintenance and operations department on site for support. We have over 60 hand held radios to communicate and six 800mhz radios to directly communicate with law enforcement.

The Standardized Emergency Management System (SEMS) is the cornerstone of California's emergency response system and the fundamental structure for the response phase of emergency management. SEMS incorporates the Incident Command System, ICS.

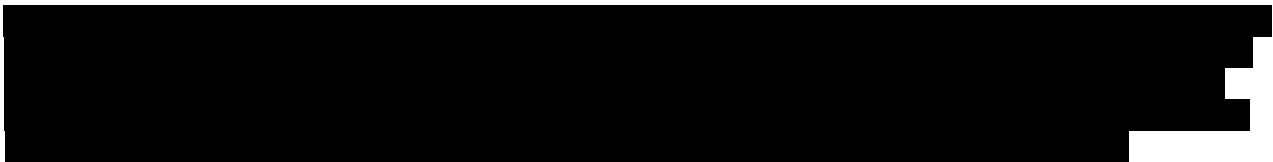
The Incident Command System:

1. Is a standardized management tool for meeting the demands of small or large emergency or non-emergency situations.
2. Represents "best practices" and has become the standard for emergency management across the country.
3. May be used for planned events, natural disasters, and acts of terrorism.
4. Is a key feature of the National Incident Management System (NIMS). The ICS is a management system designed to enable effective and efficient domestic incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to enable effective and efficient domestic incident management. A basic premise of ICS is that it is widely applicable. It is used to organize both near-term and long-term field-level operations for a broad spectrum of emergencies, from small to complex incidents, both natural and manmade.

Injury and Illness Prevention Program (IIPP)

The McCabe Union Elementary School District will follow it's COVID-19 and Injury and Illness Prevention Program (IIPP). The plans can be found on the school website at www.muesd.net.

Reference Policy – Board Policy 0470



Emergency Procedures for A Medical Emergency (Blood-Born Pathogen or Communicable Disease) CPR and First Aid

All procedures or other job-related tasks that involve an inherent potential for mucus-membrane of the skin contact with blood, body fluids, tissues, or a potential for spills or splashes of them are to follow the established Universal Precautions at all times. Use of appropriate protective measures are required for all employees engaged in these tasks.

1. Universal Precautions:
 - Barrier protection. All employees must use a barrier protection to prevent exposure with blood or other bodily fluids. Some forms of barrier protection would include:
 - a. Gloves.

- b. Dust masks and protective eye wear.
- c. Disposable smock and aprons.
- d. Personal Protective Equipment (PPE) kits
- e. Wash hands if they come in contact with blood or other body fluids.
- f. Avoid accidental injuries. Precautions will be taken to prevent injuries caused by needles, broken glass, razor blades, or other sharp materials. These types of materials should be picked up with tongs and placed in a puncture-resistant container for disposal.
- g. Avoid direct mouth-to-mouth resuscitation. Use protective mask.
- h. Decontaminate all surfaces and devices after use.

Puncture-resistance containers will be carried as part of a blood or body fluid clean-up kit. These containers will be labeled "Biological Waste".

2. Pre-Emergency Procedures:

- Awareness of Imperial County Health Department reporting criteria regarding various communicable diseases.
- Immunization tracking following state mandated requirements.
- Follow Imperial County Health Department directives (each case will be different). Prepare a list of non-immunized/medical fragile students, parents, and staff so they may be notified.

3. Immediate Action:

- Notify support services, as needed.

4. Communication:

- Notify school Superintendent.
- Notify staff, parents, and Board if appropriate.

We have four Automated External Defibrillators and two LifeVacs. The AED's are located in the health office at the McCabe Campus and the in multipurpose room, health office and the gym at the Corfman Campus. The LifeVacs are located in the multipurpose room of each campus.

Emergency Procedures for Fire

If the building is on an automatic system, sensors will detect any fires and an alarm will sound. For buildings that are not on an automatic system, once a fire is detected by any staff member, a manual alarm will need be pulled. In either system, once a student or staff member becomes aware of a fire, immediately notify the office.

1. Never attempt to fight a fire larger than a wastebasket.
2. If you are using a fire extinguisher, remember:
 - P – PULL safety pin from the handle
 - A – AIM at the base of the fire.
 - S – SQUEEZE the trigger handle
 - S – SWEEP from side to side
3. If caught in a fire, when exiting the building: (1) Stay low, (2) Do not open doors hot to the touch.
 - If your clothing catches fire: STOP, DROP, ROLL.
4. In case of a notification of a fire:
 - Evacuation Signal/Notifications:
 - a. The principal/designee will announce when it's time to evacuate and sound the signal for an evacuation due to a fire, which is an intermittently sounding bell or horn. In the event that staff sees smoke or fire, they are to evacuate immediately.
 - b. The principal/designee will call 911 for an emergency, and notify the County Fire Department (442-265-6025) for non-emergency, Superintendent/designee and Maintenance and Operations (335-5200).

Evacuation Procedures:

At the evacuation signal, employees are to evacuate their classroom following the established route to a predesignated area on the field. If field is not available, students will evacuate to dirt

parking lot South of the McCabe campus or as designated by the Incident Command Center.

At the evacuation area, employees in charge of students are to:

- a. Take roll in RED binder
- b. Display Green Sign (All Students Present) or Red Sign (Student/s Not Present)
- c. Grade level leaders will check with teachers in their grade level for missing students and will report to the Incident Command Center and/or a member of the Search and Rescue Team.
- d. Teachers will remain with students until the "all clear signal" is heard to return to class or until all students are released.
 - Each employee will check on the status of his or her "buddy" staff member. "Buddy System," is used so that one teacher may remain with an injured student and request that the neighboring teacher (buddy) supervise his/her class during the evacuation.
 - If there are injured persons who must remain in the classroom, one buddy will remain with the injured party and the other will take all other students to the field.
 - If an injured party is in a structurally unsound location where collapse may be imminent, the injured party should be removed to the nearest safe location regardless of the injury. An adult is to remain with the injured party until moved to the first aid area. The designated triage areas will be determined at the time of the incident for McCabe and Corfman sites.

Command Center

The Command Center and alternate locations for a Command Center are located in each Campus Evacuation Map. At the Command Center, principal/designee will:

- i. Use ICS flowchart to meet with the following teams: Search and Rescue Teams, Security/Utility Team, Assembly Area, First Aid/Medical Team, Crisis-Psychological Team, and the Reunion Gate Teams.
- ii. Verify student attendance.
- iii. If there are missing students or staff, Search and Rescue Team members will be assigned to check the classroom area for the missing persons.
- iv. When missing persons are found, they are to be returned to their assigned classrooms and the Command Center will be notified.
- v. Teachers and other employees assigned to schoolwide emergency duties other than the supervision of students are to report to the Command Center following evacuation to the field.
- vi. Remaining teachers and other employees not assigned to schoolwide emergency duties will assume responsibility for all children on the field.
- vii. All staff and students are to remain on the field until the "all clear" signal of a sustained bell or until school is closed and students are released.

Emergency Procedures for Earthquake

1. During the earthquake:

- Remain calm - do not rush outside.
- Initiate a "Duck and Cover":
 - a. Move away from windows, shelves, and overhead hanging objects. Take cover under a desk, table, counter, etc.
 - b. Hold your cover.
 - c. If outside, duck and cover against the nearest solid object.
 - d. If outside, do not touch any fallen power lines.
- Remain in "Duck and Cover" until all movement ceases.

After the earthquake - Before the evacuation signal:

1. Be prepared for aftershocks.

2. Check for injuries. Do not move the seriously injured.
3. Administer first aid.
4. Check for damage in your designated area and report to the Incident Command Center.
5. Extinguish any small fires.
6. Check for gas. If gas is smelled, do not turn lights on or off and do not light any matches.
 - SHUT OFF VALVE
 - Contact gas company

Evacuation Procedures:

1. Teachers will determine when it is safe to evacuate to their designated area.
2. Office staff will take the Crisis Response Kit and radios for communication to the Command Center.
3. Designated staff members will take first aid kits assigned to them to the first aid area.
 - Employees in charge of students are to take the Red Binder containing student information and reporting forms with them.

Evacuation Area

At the evacuation area, employees in charge of students are to:

1. Take roll in RED binder
2. Display Green Sign (All Students Present) or Red Sign (Student/s Not Present)
3. Grade level leaders will check with teachers in their grade level for missing students and will report to designated staff member.
4. Teachers will remain with students until an "all clear" to return to class or until all students are released.

Each employee will check on the status of his or her "buddy" staff member. "Buddy System," is used so that one teacher may remain with an injured student and request that the neighboring teacher (buddy) supervise his/her class during the evacuation. If there are injured persons who must remain in the classroom, one buddy will remain with the injured party and the other will take all other students to the field. A white "All Clear" marker will be left on the outside doorknob to indicate that room is cleared and there are no injured parties inside.

If an injured party is in a structurally unsound location where collapse may be imminent, the injured party should be removed to a designated triage areas regardless of the injury. An adult should then remain with the injured party until moved to the first aid area. The designated triage areas will be determine at the time of the incident for McCabe and Corfman sites.

Command Center

At the Command Center, principal/designee will:

1. Use Incident Command System (ICS) flowchart to organize teams.
 - Found in Safety Binder
2. Verify student attendance.
3. If there are missing students or staff, Search and Rescue Team members will be assigned to check the classroom area for the missing persons.
4. When missing persons are found, they are to be returned to their assigned classrooms and the Command Center will be notified.
5. Teachers and other employees assigned to schoolwide emergency duties other than the supervision of students are to report to the Command Center following evacuation to the field.
6. Remaining teachers and other employees not assigned to schoolwide emergency duties will assume responsibility for all children on the field.
7. All staff and students are to remain on the field until the "all clear" signal of a sustained bell or until school is closed and students are released.

Responsibilities: Custodians

1. Shut off gas, electricity, and water
2. Check for fallen power lines
3. Check that evacuation routes are open
4. Lock the gates and open emergency vehicle access gates

5. Report to the Command Center to set up, give damage report, and receive emergency assignment

Command Center:

1. The principal/designee will initiate the evacuation signal
2. The principal/designee will take the communication radios, battery-powered radio, and bullhorn
3. The secretary/clerk will take the Crisis Response Kit and all other student and staff information as needed
4. The designated staff members will take the first aid supplies to the first aid area
5. All staff members assigned to the Command Center will report for set up and for their schoolwide emergency assignment

Search and Rescue:

1. Search and Rescue teams are to assemble at the Incident Command Center to be assigned their specific area to cover
2. Teams are to take with them first aid materials and transport for injured persons
3. Teams are to take lists of any missing persons
4. In searching their specific areas, teams are to scan for missing persons.
5. Teams are to assess the situation, administer first aid as needed
6. Injured persons are to be transported to the first aid area by some team members while the remainder of the team continues the search. Members transporting injured persons should return to their team as soon as possible
7. After each room/area is checked, the outside door is marked with a large "X"

Medical - First Aid:

1. Staff assigned to medical are to set up the triage area.
 - Treat injured parties as per priorities on injury as to be determined by staff.
 - Complete a Student Release form for all students removed to the hospital by emergency medical personnel.
 - Complete a Student Release Form, provide status reports on the number of injured, dead, and released to the hospital to the Command Center.

Security:

1. M&O staff will lock gates, doors, and generally secure the campus.
2. Station aide at front gates to direct parents to the staging area.
3. Route fire and police to areas of need.
4. Route emergency medical personnel to the first aid area.

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Emergency Procedures For Suicide Ideation

Suicide Ideation at School - Student Identified as Suicidal

1. When school staff become aware of a student exhibiting potential suicidal behavior, they should contact a campus administrator or designee. The administrator or designee will ensure that an adult escorts the child to office and be placed under supervision. The child should not be sent on their own.
2. The school's crisis response team for a suicide risk assessment will be contacted: school psychologist, counselor, an administrator, and the special education director.
3. If the appropriate staff is not available, Sheriff's Office should be called. Typically, it is best to inform the student what you are going to do every step of the way. Solicit the student's assistance where appropriate. Under no circumstances should the student be allowed to leave school or be alone (even in the restroom). Reassure and supervise the student until a 24/7 caregiving resource (e.g., parent, mental health professional or law enforcement representative) can assume responsibility.
4. If a student resists, becomes combative or attempts to flee, call 911.
5. The crisis response team and law enforcement will determine what resources are required for the safety and wellbeing of student.
6. Collaboration between schools, law enforcement, family and community providers is critical.

Emergency Procedures For Death at School

When traumatic events in a school, school district, or community occur, there is an immediate need for effective services to respond to the emotional pain, that accompanies loss and distress. The death of a student or faculty member is much like a death in the family. Suicide is especially significant due to the intensity and variety of the feelings, which accompany such a tragedy. The school system has many similarities to the family system and like the family has opportunities to provide a support response.

1. Pre-Emergency Procedures:

- Establish and train a Crisis Response Team
- Establish a system for communication for teachers, staff and the Board

2. Immediate Action:

- Call 911 and notify Superintendent and Board
- Keep students in classes away from the crisis area or remove students from the immediate crisis area, and determine if full/modified lockdown is necessary
- Activate the Crisis Management Team
- Secure the area until law enforcement arrives
- Make notes and observations of pertinent information

- Who observed the occurrence?
 - Who reported the occurrence?
 - What vehicle(s) were involved?
 - Note the approximate time of the incident, when emergency vehicle arrives, and what was done for the victim. Write down your observations as soon as possible
- 3. Follow-Up (Family):**
- Contact the family personally and offer support
 - Establish a family support committee (example: to collect money, food donations, etc.)
 - Obtain information regarding funeral visitation, home visits, and family wishes
 - Stop any disciplinary, scholarship, testing, or special placement notifications that may be inadvertently sent to the family
- 4. School Plan of Action - Announcing the Loss:**
- Notify school community as appropriate: staff, parents, students
 - Provide facts to reduce rumors. Extend homeroom or study hour, if necessary
 - Arrange for selected class visits to speak to the students
 - Follow-up with a short faculty meeting to review the facts of the incident and the role of the faculty in assisting with the loss. Allow the faculty an opportunity to share their experiences and suggestions
- 5. Faculty Response:**
- Identify the students who were close friends or students who would like an opportunity to attend a group or an individual meeting
 - Identify the students obviously in distress and provide counseling services.
 - Provide an opportunity for students to discuss the loss and what they have learned
 - If students are restless, get them active and focus on a project for the family, if appropriate
 - Discuss the funeral to prepare the students who will be attending to know what to expect
- 6. Counseling and Psychology Responsibilities:**
- Establish an area for counseling (individual or group)
 - Reschedule the day's activities depending upon the needs of the school
 - Request additional counselors, if needed, as determined by the superintendent and psychologist
 - Identify individuals who can work with groups or individuals. Maintain a list of the students counseled. Make follow-up calls to the parents of the students in distress and make recommendations for the parents to provide support
- 7. Administrative Responsibilities:**
- Keep the staff updated on the events and circumstances
 - Identify faculty and staff who are in need of mental health support services
 - Utilize counseling, psychology, district office, community counseling, or employee assistance programs
 - Emphasize the need to provide hard facts in reducing rumors. Remove personal items of the deceased from locker, desk, etc.
 - Rearrange the seating in the classroom, when appropriate

Emergency Procedures for Utility Emergency

If a utility problem is discovered, such as a gas leak or power failure, notify the Superintendent/designee, Maintenance and Operations Manager, and the Board (335-5200).

1. Gas Leak:

- Contact So Cal Gas Company 800-352-4070
- Only custodial or Maintenance and Operations personnel specifically trained in shut-off procedures should attempt to shut off the building gas
- Maintenance and Operations personnel will recommend response procedures and other agencies to be contacted once the leak is confirmed
- Do not light matches or turn lights on or off. Extinguish any open flames

- Open windows to allow ventilation
- Stay clear of the problem
- Principal/designee should wait outside for Maintenance and Operations and direct them to the problem location

2. Power Failure:

- Contact IID 800-303-7756 and/or the Office of Emergency Services and stay tuned for updates using mobile phones, the 800 mhz radios, and battery-powered radios.
- Use the district hand-held radio and notify the Superintendent/designee and Maintenance and Operations (335-5200)
- Give instruction to staff and students as to evacuate classrooms or not
- Shut off all electrical switches individually, not at the main switch. If power is restored after hours, items such as coffee makers, which have not been turned off individually will come back on and can overheat and burn.
- When power is restored, check the effect of the power outage on the school (i.e., refrigerated food, clocks, etc.)

3. If students are evacuating classrooms: Implement school-wide evacuation procedures.

4. Closing of School:

- If there is no other acceptable alternative, the principal/designee will secure permission from the Superintendent/ designee to close the school.
- The office of the Superintendent/ designee will communicate with all resources available to communicate with the school community the closing of the school.
 - If school needs to be closed:**
 - Notify the Sheriff's Department (442-265-2021) and the Board
 - Notify the Transportation and Maintenance/Operations Department (760-335-5200).
 - Initiate district student release procedures for those students who may be picked up by a parent or other authorized adult.
 - Instruct staff to remain with students who are not released until such time as their release at the end of the normal school day under regular release and transportation procedures.
 - The principal/designee will remain on campus until the safety of all students is assured.
 - If school is not closed:**
 - Many parents will still want to pick their children up from school even if the decision has been made to keep the school open. To ensure that this will occur smoothly, the following procedures should be implemented:
 - Initiate district student release procedures for those students who may be picked up by a parent or other authorized adult.
 - Instruct staff to remain with students who are not released until such time as their release at the end of the normal school day under regular release and transportation procedures
 - The principal/designee will remain on campus until the safety of all students is assured.

Emergency Procedures for Chemical/Hazardous Material Spill

1. Chemical/Hazardous Material Spill:

Warning of a chemical accident is usually received from the police department, fire department, or the local Office of Emergency Services when there is a threat to the safety of the school. These accidents may include overturned tankers, broken fuel lines, and incidents related to the industrial use of chemicals. If offensive odors are present in the ventilation system, they should be reported to the principal/designee.

When a reported accident occurs, the following procedures should be implemented:

- It will be assessed by trained personnel who will ensure that proper clean-up techniques are employed.
- Principal/designee will notify Superintendent/designee and Maintenance and Operations (335-5200).
- Principal/designee will choose one of the following options:
 - No evacuation – students remain in class.
 - Evacuate to predesignated field area.
 - Evacuate off campus to predesignated student release area.

2. If it is necessary to evacuate the area, move cross wind, never directly with or against the wind.
3. If exiting to field or evacuation area:
 - a. The principal/designee will initiate the fire drill evacuation signal of an intermittently sounding bell or horn
 - b. Employees are to take their Red Binder containing student information and reporting forms with them
 - c. Office staff will take the Crisis Response Kit to the Command Center
 - d. At the evacuation area, employees in charge of students are to:
 - e. Take roll
 - f. Display Green Sign (All Students Present) or Red Sign (Student/s Not Present)
 - g. Remain with students until an "all clear" to return to class or until all students are released
4. At the Command Center, principal/designee will:
 - a. Command Center will be determined at the time of incident: 1 of 4 possible locations
 - b. Use ICS flowchart to organize teams
 - c. Check off classes and their Attendance Signs
 - a. If there are missing students or staff, Search and Rescue team members will be assigned to check the classroom area for the missing persons. Do not re-enter any burning building
 - b. If there are missing students or staff, Search and Rescue team members will be assigned to check the classroom area for the missing persons. Do not re-enter any burning building
 - c. When missing persons are found, they are to be returned to their assigned classrooms and the Command Center will be notified
 - d. If there are missing students or staff, Search and Rescue team members will be assigned to check the classroom area for the missing persons. Do not re-enter any burning building
 - e. When missing persons are found, they are to be returned to their assigned classrooms and the Command Center will be notified
5. **Closing of School:**
 - a. If necessary, the principal/designee will secure permission from the Superintendent/designee to close the school. The office of the Superintendent/ designee will contact public communications systems, such as radio, to announce the closing of the school.
 - b. If school is closed:
 - a. Notify the Sheriff's Dept. (442-265-2021) and the Board
 - b. Notify the Transportation Department and Maintenance/Operations Department (335-5200)
 - c. Initiate district student release procedures for those students who may be picked up by a parent or other authorized adult.
 - d. Instruct staff to remain with students who are not released until such time as their release at the end of the normal school day under regular release and transportation procedures.
 - e. The principal/designee will remain on campus until the safety of all students is assured.
 - f. Do not return to the campus until school personnel and/or emergency personnel have declared the area safe.
6. **If school is not closed:**
 - a. Many parents will still want to pick their children up from school even if the decision has been made to keep the school open. To ensure that this will occur smoothly, the following procedures should be implemented:
 - a. Initiate district student release procedures for those students who may be picked up by a parent or other authorized adult.
 - b. Instruct staff to remain with students who are not released until such time as their release at the end of the normal school day under regular release and transportation procedures.
 - c. The principal/designee will remain on campus until the safety of all students is assured.

Emergency Procedures for Bee Swarms

1. Pre-Emergency Procedures:

- Post-emergency numbers (911, Poison Control, County Bee Hotline, etc.)
- Have first aid supplies on hand (with supplies for closing off areas such as barricades and yellow caution tape)
- Look for bee problems around school grounds

2. Immediate Action – Bee Attack:

- Evacuate immediate area and initiate modified lockdown if necessary
- Seek enclosed shelter or, upon attack, run without flailing arms
- Treat injured. Remove stinger(s) with the edge of a credit card or other sharp-edged instrument. **Do not attempt to pull stinger out** with tweezers or fingers, as this may cause additional venom to be injected.

3. Immediate Action – Swarm or Hive Located:

- Evacuate immediate area and initiate modified lockdown if necessary
- Call Imperial County Bee Office Hotline 760-336-2252
- Keep bystanders at least 300 feet away by posting yellow caution tape
- Post someone near to keep bystanders away until emergency crew or pest control arrives

4. Communication:

- Call 911 if necessary.
- Notify Superintendent and Maintenance and Operations 760-335-5200
- If parent communication is needed, use school to home communication platform to provide information

5. Follow-Up:

- Have grounds personnel clean up and remove dead bees
- Complete written documentation and forward to the district office

Emergency Procedures for Severe Weather Conditions Non-School Hours

1. Pre-Emergency Procedures:

- Keep a list of local emergency agencies' telephone numbers within easy access
- Establish contacts at local emergency agencies
- Maintain a plan for sharing school facilities as needed
- Know which community officials have the authority to access school property in emergency situations
- Staff and students should be advised to watch or listen to local media for information on school closures and severe weather

2. Immediate Action:

- The transportation manager or designee monitors and determines the safety of roads and bridges within the district
- The Principal will monitor and determine the safety of school buildings and grounds that may be affected by severe weather conditions

3. Communication:

- If the school is to be closed, notify local media of the decision to close
- Notify parents as needed using School to Home Communication Platform

4. Follow-Up:

- Reschedule the school calendar, if needed
- Complete a written report to the Superintendent

Emergency Procedures for Severe Weather Conditions School In-Session

1. Pre-Emergency Procedures:

- Keep a list of local emergency numbers within easy access
- Establish contacts at local emergency agencies
- Maintain an up-to-date school evacuation/dismissal plan
- Maintain a plan for sharing school facilities as needed
- Know which community officials have authority to access school property in emergency situations
- Be aware of evacuation routes leading away from the facility

2. Immediate Action:

- Restrict outdoor activities if severe weather conditions are threatening the area
- Dismiss school only after obtaining Superintendent approval
- If necessary, activate the student reunification plan

3. Communication:

- In cases where dismissal is indicated, activate communication through the Superintendent's office using School to Home Communication Platform

Emergency Procedures for Floods

1. Pre-Emergency Procedures:

- All school personnel should be aware of the danger of excessive rains

2. During Emergency:

- Superintendent or designee will determine what facilities are likely to be flooded
- The School Administrator will initiate appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, EVACUATE BUILDING, or OFF-SITE EVACUATION
- Notify 911 and Sheriffs' Department – (442-265-2026) and describe the nature and extent of the flooding
- The School Administrator will keep a battery-powered radio tuned to a local radio station and/or use the 800mhz radio for information, and use mobile phone to communicate with the Office of Emergency Services.
- If the School Administrator issues the EVACUATE BUILDING or OFF-SITE EVACUATION action, staff and students will evacuate affected buildings using prescribed routes or other safe routes to the Reunification Area

Emergency Procedures for Bus Accidents

At the scene of an accident involving a school bus the responding law enforcement agency is in charge. The responsibility for the release of students rests with the District.

A District Transportation Safety Plan is maintained and provided to parents for written notification of district rules and guidelines for safety procedures.

1. General Accident Procedures:

- The driver's first responsibility is to his/her passengers
- For an Emergency dial 911, and for Non-Emergency notify the California Highway Patrol 760-482-2500, Superintendent/designee, Transportation, and Maintenance and Operations 760-335-5200
- Turn the engine off and set the brakes

- Check for any injuries to passengers. If there are injuries, administer first aid as needed
- Check the fuel tank and lines
- Check for electrical fire and/or smoke
- Keep all passengers in the vehicle, with the only exceptions being fire or other hazards that would warrant their removal
- Protect the scene from further accidents, traffic, and other persons in the area
- Do not move the vehicle until advised to do so by law enforcement personnel
- Do not release any passengers unless directed to by district administration
- If the present vehicle is not deemed safe for transport, arrange for another vehicle or other means as determined by district administration

2. Vehicle Evacuation Regulations and Emergency Exits:

- The decision to evacuate the vehicle is the initial step and should be done in a manner that will result in the safest situation for the passengers
- Avoid panic and hasty decisions
- Two methods or routes of escape will be maintained
- Use an expedient and orderly movement of people to maximize safety
- Familiarity with drill patterns will provide drivers with actions to be taken in the event of an emergency requiring evacuation of a vehicle. These are to include:
 - a. Front-door evacuation
 - b. Rear floor-level door evacuation
 - c. Left and rear floor-level door evacuation
 - d. Rear, side, and front-level door evacuation
 - e. Front and side-floor level door evacuation
 - f. Left rear floor-level door evacuation

3. Situations that may require evacuation include:

- A fire or the potential for a fire to occur.
- Vehicle is situated in a dangerous position on the roadway.

4. Hijacking and Kidnapping:

- Drivers should not try to be the “hero”. Accept the situation and be prepared to wait until help arrives.
- The first 15 to 45 minutes are the most dangerous. Follow the instruction of your captors without upsetting them
- Do not speak unless you are spoken to. Be calm and courteous in responding
- Do not make suggestions to your captors
- Do not try to escape unless you are the only hostage. If you are, make sure you can make good on your escape before trying it. Observe carefully everything that occurs. Try to memorize the number of captors, their description, their conversation, the number and type of weapons carried, types of vehicles, and license numbers, if possible
- Try to memorize the number and identity of other hostages, such as students. If you are released, your information will help the police
- If permitted to speak on the telephone or radio for any reason, follow the instruction of your captors very carefully. Be prepared to answer only “yes” or “no” to questions asked by the person to whom you are speaking.
- Do not turn your back on your captors unless ordered to do so, but do not stare at them either. Make normal eye contact.
- Do not be argumentative. Exhibit a cooperative attitude and instruct others to do likewise.
- Avoid physical resistance
- Your main concern is the safety of your passengers. If permitted, ask your captors to allow

you to give instructions to the students.

- Be patient and remember that time is in your favor

5. **Hazardous Materials**

- For an Emergency dial 911, and for Non-Emergency notify the California Highway Patrol 760-482-2500.
- Hazardous material is anything that can explode, burn easily, corrode, poison, or affect life through biological or radiation activity. The basic steps to be taken are:
- Hazardous material is anything that can explode, burn easily, corrode, poison, or affect life through biological or radiation activity. The basic steps to be taken are:
 - a. Protect the scene
 - b. Notify authorities
 - c. Render assistance
 - d. Collect information
- If hazardous materials are encountered, the following precautions should be taken:
 - a. Avoid smoke, fumes, or residue.
 - b. Do not walk or drive through spilled materials.
 - c. Do not stand downwind from spilled materials.
 - d. Do not use flares or other ignition sources.
- Some or all of the following activities may be necessary, depending upon the situation:
 - e. Turn off the ignition switch and set the brakes.
 - f. Remain calm and reassure passengers.
 - g. Be alert regarding fire or the possibility.
 - h. Place warning devices.
 - i. Check for injury to passengers and follow first-aid procedures.
 - j. Keep all passengers on the bus, again noting exceptions for fire and other hazards that would require removal from the bus.
 - k. Evacuate only when necessary.
 - l. To determine if evacuation is necessary, check wind speed and direction, roadway slope, and direction of flowing liquids, and identity of the spilled hazardous material.
 - m. Account for all passengers.
 - n. Notify the Superintendent/designee, Transportation, and Maintenance and Operations 760-335-5200.

6. **Bus Operations During Earthquakes:**

- **Minor Earthquakes:**
 - a. If a minor earthquake occurs while a bus is on a scheduled pickup or school-to-home run, the bus will temporarily stop, pull out of traffic and park the bus. At the time the driver can determine that all is clear, he/she will continue the regularly assigned route.
- **Major Earthquakes:**
 - a. **Picking Up Students:** If a major earthquake occurs while a bus is on a run picking up children to take them to school, the bus will temporarily stop, pull out of traffic and park the bus. The driver will then give direction to students to “drop” and take “cover” under the seats. At the time the driver can determine that all is clear, he/she will then stop picking up students and will go to the nearest district school site to wait for further instructions.
 - b. **Taking Students Home:** If a major earthquake occurs while a bus is taking students home from school, the bus will temporarily stop, pull out of traffic and park the bus. The driver will then give direction to students to “drop” and take “cover” under the seats. At the time the driver can determine that all is clear, he/she will then stop taking children home and will go to the nearest district school site to wait for further instructions.

- c. **Bus Riders:** All children who ride district buses should be instructed in advance by parents as to where they should go and what they should do if a major earthquake occurs prior to their scheduled bus pickup and after they have departed the bus for home.

Emergency Procedures for Missing Persons

1. Pre-Emergency Procedures:

- Review plan with faculty and staff.

2. Immediate Action – Missing Child: If a child is reported missing

- Check with staff and assign a team to check buildings, athletic fields, after school programs, and buses for the missing student.
- Contact the child's parents.
 - If unable to locate a parent, use numbers on the student emergency card.
- Attempt to find out who last saw the child and where he/she was seen.
- Contact close friends of the missing student to possibly obtain information as to their whereabouts.
 - Interview the missing student's friends for information as to their whereabouts, possibility of running away, or returning home for fear of punishment.
- Notify the police or notify appropriate law enforcement.
 - Get an accurate description of the child. Include what the child was last seen wearing.
 - Provide photograph to law enforcement
 - Designate a school contact person to continue working with the parents and law enforcement if the child is not located.
 - Designate a school official to work as a liaison with law enforcement.

3. Immediate Action – Missing Adult:

- Attempt phone contact.
- Contact law enforcement to do a welfare check at the person's home.
- Contact personnel office for a listing of relatives or friends to contact.
- Designate a school official to be a liaison with law enforcement, in case the person is not located.

4. Follow-Up:

- Arrange selected class visits to speak, as necessary, to provide facts and to reduce rumors.
- Forward a written report to the Superintendent.

5. Confidential Information:

- According to federal statutes, an educational agency or institution may disclose personally identifiable information from an education record to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health and safety of the student or other individuals.
- If law enforcement or medical personnel need information to protect the health and safety of a student, provide whatever information is needed.
- Generally, the only information that should be provided to the media is confirmation of the student's attendance in our district. Comments to the media should be referred to the superintendent/designee.
- However, in the case of a missing child, providing information to the media that may aid in the discovery and/or protection of the child is permissible.

Emergency Procedures for Abandoned Child

1. Immediate Action:

- Contact administration
- Contact the family by telephone, if possible.
 - Contact emergency telephone references.
 - If contact cannot be made with the parents, call the Sheriff's Department (442-265-2021) for an officer to respond.
- Contact Child Protective Services (CPS) to notify them in case they have an on-going investigation with the family.
- Place written documentation in student file regarding the circumstances surrounding the incident.

2. Confidential Information:

- According to federal statutes, an educational agency or institution may disclose personal identifiable information from an educational record to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect health and safety of the student or other individuals.
- If law enforcement officer or medical personnel needs information to protect the health and safety of a student, the school will provide whatever information is needed.
- Media. Generally, the only information that should be provided to the media is confirmation of the student's attendance in the McCabe Union Elementary School District. The media should generally be referred to the superintendent or designee. However, in the case of an abandoned child, providing information to the media that may aid in the protection of the child is permissible.

Appendix - Sample of CPS report

Emergency Procedures for Criminal Allegations Against a Student

1. Pre-Emergency Procedures:

- Administrators and staff are provided written guidelines regarding the release of information pertaining to students and staff
- Law enforcement must present proper identification

2. Immediate Action:

- Notify parents
- Determine legal authority of the individual requesting to question anyone on the school premises
- Work with legal authorities to ensure the questioning occurs with the least possible disruption to the school environment
- If the parent is not present during the questioning of a student on campus, an administrator may be present during the questioning

3. Communication: Information will only be provided to law enforcement as per ED code.

- Do not release the name, address, or phone number of any student unless such information is needed to protect the health and/or safety of the student or other individuals
- If criminal allegations involve crimes against other students, refer any questions to the investigating officer

4. Follow-Up:

- Communicate to staff members and to the parents of the students involved

- Law enforcement will conclude investigation and do any necessary follow-up

Emergency Procedures for Campus Disorder – Civil Disobedience

Civil disturbances may occur within districts or individual schools, or may be precipitated by outside school forces. Campus disorders may be avoided by maintaining effective movement and control of students and unauthorized persons.

1. Pre-Emergency Procedures:

- The principal and appropriate school personnel must be aware of the following events and insure that adequate security (law enforcement patrols, if necessary) is available.
 - a. Athletic events.
 - b. Major school social activities.
 - c. Racial tension.
 - d. Influx of outside agitators.
 - e. Circulation of inflammatory literature among students.

2. Immediate Action:

- The administrator will assess the situation, number of students, nature of disturbances, and assistance, if needed. If outside assistance is needed:
 - a. Notification to staff and students to stay in class
 - Instruct teachers to follow modified lockdown procedures.
 - b. Notify Superintendent
 - c. Notify law enforcement (Sheriffs' Department – 442-265-2021 or CHP – 760-482-2500).
 - d. If necessary, turn off passing system (bells) so students will not change classes.

3. Administrators:

- Brief law enforcement officers on:
 - a. Number of participants involved.
 - b. Location of participants.
 - c. Weapons involved.
 - d. Outsiders involved.
 - e. Assist law enforcement, as necessary. Instruct classroom teachers to account for all students.

4. Follow-Up:

- Follow-up procedures
 - a. Contact maintenance and operations, once authorities have established control, to assist with securing the building(s).
 - b. Notify parents about the incident that occurred and how safety was established.
 - c. Debrief faculty, as appropriate.
 - d. Complete written report and forward it to the superintendent.

Emergency Procedures for Campus Disorder – Walk Outs or Sit Ins

A "walk out" is a type of demonstration that needs to be dealt with through dialogue. If a student walk out occurs, and the students remain on the school grounds, the principal or his representative should try to talk the students into returning to their classes or another designated location. If the students do not return to class:

1. Immediate Action:

- Notify superintendent
- Inform the offices immediately

- Initiate Modified Lockdown
- Take the necessary measures to ensure the safety and well being of students while they demonstrate. Things to consider: access to water, shade, an area to speak and guidance on how to demonstrate in a peaceful and safe manner.
- Take roll to determine the names of the students who did not return to class, left campus or never entered the school campus.
- If the demonstration becomes disorderly or violent, call 911

2. Communication:

- Inform school community

3. Follow-Up:

- Contact the parents of students who never entered the campus or did not return to class

Emergency Procedures for Off-Campus Disorder

Follow the same Immediate Actions, Communication and Follow Up indicated for On Campus Disorder for incidents occurring while students are going to or coming from school and during or while going to or coming from a school sponsored activity.

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Child Abuse Prevention And Reporting

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The Board of Trustees is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. [1020](#) - Youth Services)

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services) Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

(cf. [4119.21](#)/[4219.21](#)/[4319.21](#) - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code [32282](#))

(cf. [0450](#) - Comprehensive Safety Plan)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters. Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students

48906 Notification when student released to peace officer

48987 Dissemination of reporting guidelines to parents

49001 Prohibition of corporal punishment

51220.5 Parenting skills education

51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act

273a Willful cruelty or unjustifiable punishment of child; endangering life or health

288 Definition of lewd or lascivious act requiring reporting

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020 Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form:

http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss/ap>

California Department of Social Services, Children and Family Services Division: <http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway:

<https://www.childwelfare.gov/can>

Policy McCABE UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 27, 2017 El Centro, California

[McCabe Union ESD](#) | AR 5141.4 Students

Child Abuse Prevention And Reporting



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Definitions

Child abuse or neglect includes the following: (Penal Code [11165.5](#), [11165.6](#))

A physical injury or death inflicted by other than accidental means on a child by another person

Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code [11165.1](#)

Neglect of a child as defined in Penal Code [11165.2](#)

Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code [11165.3](#)

Unlawful corporal punishment or injury as defined in Penal Code [11165.4](#)

(cf. [4119.21](#)/[4219.21](#)/[4319.21](#) - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

A mutual affray between minors (Penal Code [11165.6](#))

An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code [11165.6](#))

(cf. 3515.3 - District Police/Security Department)

An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code [44807](#))

An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of a student (Education Code [49001](#)) (cf. [5131.7](#) - Weapons and Dangerous Instruments)

(cf. [5144](#) - Discipline)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code [49001](#))

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

Homelessness or classification as an unaccompanied minor (Penal Code [11165.15](#))

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; administrators and employees of a licensed child day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code [11165.7](#))

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code [11166](#))

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code [11166](#))

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code [11166.05](#), [11167](#))

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code [152.3](#), [288](#))

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person.

(Penal Code [11166](#))

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(Penal Code [11166](#))

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code [11166](#))

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code [11166](#)) (cf. [1240](#) - Volunteer Assistance)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code [11165.9](#), [11166](#))

Child Protective Services 2995 S. 4th Street #10

El Centro, CA 92243

(760) 337-7750

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code [11166](#), [11168](#))

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department. Reports of suspected child abuse or neglect shall include, if known: (Penal Code [11167](#))

The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter

The child's name and address, present location, and, where applicable, school, grade, and class

The names, addresses, and telephone numbers of the child's parents/guardians

The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child

The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code [11167](#))

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code [11166.05](#). (Penal Code [11167](#))

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code [11166](#))

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code [11166](#))

Training

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Education Code [44691](#); Penal Code [11165.7](#))

(cf. [4131](#) - Staff Development)

(cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services. (Education Code [44691](#))

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code [44691](#); Penal Code [11165.7](#))

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code [44691](#))

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code [44691](#))

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code [11174.3](#))

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements:

(Penal Code [11174.3](#))

The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.

The selected person shall not participate in the interview.

The selected person shall not discuss the facts or circumstances of the case with the child.

The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code [11167.5](#).

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code [11174.3](#))

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code [48906](#))

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school

site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code [11166](#) to file a report himself/herself using the procedures described above for mandated reporters.

(cf. [1312.1](#) - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR [4650](#).

(cf. [1312.3](#) - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code [11166](#), and their confidentiality rights under Penal Code [11167](#). The district also shall provide these new employees with a copy of Penal Code [11165.7](#), [11166](#), and [11167](#). (Penal Code [11165.7](#), [11166.5](#))

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal

Code [11166](#) and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code [11166.5](#))

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code [15630-15637](#).

The Superintendent or designee also shall notify all employees that:

A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code [11172](#))

If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code [11166](#))

No employee shall be subject to any sanction by the district for making a report unless it can be shown that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code [11166](#))

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The Board of Trustees is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. [5131](#) - Conduct)

(cf. [5131.1](#) - Bus Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5137](#) - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at the school. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively implement the disciplinary strategies adopted for the district school, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.

(cf. [4131](#) - Staff Development)

(cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. [0460](#) - Local Control and Accountability Plan)

(cf. [3100](#) - Budget)

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans 35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian 49330-49335 Injurious objects

52060-52077 Local control and accountability plan CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus 353 Detention after school Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students,

Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014 WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Public Counsel: <http://www.fixschooldiscipline.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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Site-Level Rules

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies 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.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [0460](#) - Local Control and Accountability 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](#))

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to himself/herself or others or he/she commits 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:

Discussion or conference between school staff and the student and his/her parents/guardians(cf. [5020](#) - Parent Rights and Responsibilities)

(cf. [6020](#) - Parent Involvement)

Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. [5138](#) - Conflict Resolution/Peer Mediation) (cf. [6164.2](#) - Guidance/Counseling Services)

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 his/her parents/guardians

(cf. 6164.5 - Student Success Teams)

When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education under Section 504)

A positive behavior support approach with tiered interventions that occur during the school day on campus

Recess restriction as provided in the section below entitled "Recess Restriction"

Detention after school hours as provided in the section below entitled "Detention After School"

Community service as provided in the section below entitled "Community Service"

In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Cocurricular Activities)

Reassignment to an alternative educational environment (cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice) (cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Suspension and expulsion in accordance with law, Board policy, and administrative regulation (cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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](#))

(cf. [5125](#) - Student Records)

Recess Restriction

A teacher may restrict a student's recess time only when he/she believes that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

The student shall remain under a certificated employee's supervision during the period of restriction.

Teachers shall inform the Superintendent of any recess restrictions they impose. (cf. [5030](#) - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR [353](#))

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the Superintendent or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the Superintendent or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR [307](#), [353](#))

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. (cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent or designee may, at his/her discretion, require a student to perform community service during non-school 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, 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](#))

(cf. 5145.6 - Parental Notifications)

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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Suspension And Expulsion/Due Process

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The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. [5131](#) - Conduct)

(cf. [5131.1](#) - Bus Conduct)

(cf. [5131.2](#) - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring at the district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code [48900\(s\)](#))

While on school grounds

While going to or coming from school

During the lunch period, whether on or off the school campus (cf. [5112.5](#) - Open/Closed Campus)

During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code [48900](#)(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code [48900.5](#), [48900.6](#))

(cf. [1020](#) - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation) (cf. [5144](#) - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code [48910](#). (Education Code [48900](#))

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. [5113](#) - Absences and Excuses)

(cf. [5113.1](#) - Chronic Absence and Truancy)

Authority to Expel

A student may be expelled only by the Board. (Education Code [48918](#)(j))

As required by law, the Superintendent shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code [48915](#))

Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the Superintendent or designee's concurrence

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

Selling or otherwise furnishing a firearm

Brandishing a knife at another person

Unlawfully selling a controlled substance listed in Health and Safety Code [11053-11058](#)

Committing or attempting to commit a sexual assault as defined in Penal

Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committing a sexual battery as defined in Penal Code [243.4](#)

Possessing an explosive as defined in 18 USC [921](#)

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or designee shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code [48915](#)(b) and (e))

That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in a public session.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code [48917](#))

No student shall be expelled for disruption or willful defiance. (Education Code [48900](#))

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with

procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code [48911](#), [48915](#), [48915.5](#), [48918](#))

(cf. 5119 - Students Expelled from Other Districts)

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school 17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

Open board meetings

Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools) 35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system 48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion 48950 Speech and other communication 48980 Parental notifications

49073-49079 Privacy of student records

52060-52077 Local control and accountability plan CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse 286 Sodomy defined

Lewd or lascivious acts with child under age 14 288a Oral copulation

Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

Interference with exercise of civil rights

Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

Gun-Free School Zone Act of 1995

Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting 7151 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267 Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182 John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997) Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014 WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://www.oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil

Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/about/offices/list/osdfs>

Policy McCABE UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 27, 2017 El Centro, California

[McCabe Union ESD](#) | AR 5144.1 Students

Suspension And Expulsion/Due Process

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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](#))

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 Board of Trustees for students of the same grade level

Referral to a certificated employee designated by the principal to advise students

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 the 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](#))

(cf. [5144](#) - Discipline)

(cf. [5145.6](#) - Parental Notifications)

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:

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

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))

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))

(cf. [5131](#) - Conduct)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

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))

(cf. [5131.6](#) - Alcohol and Other Drugs)

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\(d\)](#))

Committed or attempted to commit robbery or extortion (Education Code [48900\(e\)](#))

Caused or attempted to cause damage to school property or private property (Education Code [48900\(f\)](#))

Stole or attempted to steal school property or private property (Education Code [48900\(g\)](#))

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 his/her own prescription products (Education Code [48900\(h\)](#))

(cf. [5131.62](#) - Tobacco)

Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code [48900\(i\)](#))

Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code [11014.5](#) (Education Code [48900\(j\)](#))

Knowingly received stolen school property or private property (Education Code [48900\(l\)](#))

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\(m\)](#))

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\(n\)](#))

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\(o\)](#))

Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code [48900\(p\)](#))

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\(q\)](#))

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 himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by the school. (Education Code [48900\(r\)](#))

Bullying shall include 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 items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code [48900\(r\)](#))

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 his/her age, or for a person of his/her age with his/her disability. (Education Code [48900\(r\)](#))

(cf. 1114 - District-Sponsored Social Media) (cf. [5131.2](#) - Bullying)

(cf. 6163.4 - Student Use of Technology)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code [31](#) (Education Code [48900\(t\)](#))

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

Any student in grades 4-12 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\(k\)](#))

(cf. [5131.4](#) - Student Disturbances)

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

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](#))

(cf. [5145.7](#) - Sexual Harassment)

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](#))

(cf. [5145.9](#) - Hate-Motivated Behavior)

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](#))

(cf. [5145.3](#) - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code [48900](#) and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-12" above. (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, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code [48910](#))

As soon as possible after the teacher decides to suspend the student, he/she 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 he/she 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 the 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 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" and for which he/she is required to recommend expulsion. (Education Code [48915\(c\)](#))

The Superintendent or designee may impose a suspension for a first offense if he/she determines 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 designee has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code [48900.5](#))

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent or designee shall document the other means of correction used and retain them in the student's record. (Education Code [48900.5](#))

(cf. [5125](#) - Student Records)

Length of Suspension

The Superintendent 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 an opportunity school, or continuation school or class for the purpose of adjustment, he/she 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](#))

(cf. 6184 - Continuation Education)

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:

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

This conference may be omitted if the Superintendent 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 his/her 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](#))

Administrative Actions: All requests for student suspension are to be processed by the Superintendent 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](#))

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.

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](#))

Extension of Suspension: If the Board is considering the expulsion of a suspended student from the 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](#))

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.

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](#))

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](#))

(cf. 6173.1 - Education for Foster Youth)

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](#))

(cf. 6173 - Education for Homeless Children) 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" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" above and within the limits specified under "Suspension by Superintendent 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 violating a student's right to privacy under Education Code [49073-49079](#). (Education Code [35146](#), [48912](#))

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her 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](#))

The on-campus suspension classroom shall be staffed in accordance with law.

The student shall have access to appropriate counseling services.

The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.

The student shall be responsible for contacting his/her 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 Superintendent 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's Authority to Recommend Expulsion

Unless the Superintendent or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code [48915](#))

Causing serious physical injury to another person, except in self-defense

Possession of any knife or other dangerous object of no reasonable use to the student

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 for his/her use or other medication prescribed for him/her by a physician

Robbery or extortion

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 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 he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent 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 or designee shall offer the student and his/her 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 his/her 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 his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her 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 his/her 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, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code [48918.5](#))

Receive five days' notice of his/her scheduled testimony at the hearing

Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies

Have a closed hearing during the time he/she testifies

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

Written Notice of the Expulsion Hearing

Written notice of the 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\(b\)](#))

The date and place of the hearing

A statement of the specific facts, charges, and offense upon which the proposed expulsion is based

A copy of district disciplinary rules which relate to the alleged violation

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).

(cf. 5119 - Students Expelled from Other Districts)

The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney 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.

Non-attorney 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.

The right to inspect and obtain copies of all documents to be used at the hearing

The opportunity to confront and question all witnesses who testify at the hearing

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

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 have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code [48918\(c\)](#))

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\(g\)](#))

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\(i\)](#))

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" and "Additional Grounds for Suspension and Expulsion: Grades 4-12" 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.

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](#))

Any complaining witness shall be given five days' notice before being called to testify.

Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.

Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code [868.5](#).

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.

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.

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

At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

The person conducting the hearing may:

Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness. Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours

Permit one of the support persons to accompany the complaining witness to the witness stand

5. 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 his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code [48918\(a\)](#))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or

with the Office of Administrative Hearings of the State of California for a hearing officer. 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 his/her 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 public 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))

(cf. 9321.1 - Closed Session Actions and Reports)

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 act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. 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](#))

Periodic review, as well as assessment at the time of review, for readmission

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:

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" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code [48900.8](#))

The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code [48916](#))

Notice of the right to appeal the expulsion to the County Board (Education Code [48918](#))

Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code [48918](#))

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:

The student's pattern of behavior

The seriousness of the misconduct

The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program The suspension of the enforcement of an expulsion shall be governed by the following:

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](#))

During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code [48917](#))

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" or

"Additional Grounds for Suspension and Expulsion: Grades 4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code [48917](#))

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](#))

Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in the district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code [48917](#))

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 his/her status with the expelling district, pursuant to Education Code [48915.1\(b\)](#). (Education Code [48918\(j\)](#))

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 Superintendent 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 Superintendent or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding 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 Superintendent or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code [48900](#)(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code [48902](#))

Placement During Expulsion

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

Appropriately prepared to accommodate students who exhibit discipline problems

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

Not housed at the school site attended by the student at the time of suspension(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

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:

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.

The Superintendent or designee shall transmit to the Board his/her 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.

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.

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](#))

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.

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](#))

(cf. 5119 - Students Expelled from Other Districts)

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An employee may use reasonable and necessary force for his/her self-defense, defense of another person, or protection of property; to quell a disturbance threatening physical injury to others; or to obtain possession of weapons or other dangerous objects within the control of a student. (Education

Code [44807](#), [49001](#))

(cf. 5131.7 - Weapons and Dangerous Instruments) (cf. 5144 - Discipline)

Employees shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against them by a student.

Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Education Code [44014](#))

In addition, employees shall promptly report to the principal or supervisor, and may report to law enforcement, any attack, assault, or threat made against them on school grounds by any other individual.

(cf. [3515.2](#) - Disruptions)

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee. (cf. [3320](#) - Claims and Actions Against the District)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. [3530](#) - Risk Management/Insurance)

Notice Regarding Student Offenses Committed While Under School Jurisdiction

The Superintendent or designee shall inform the teacher(s) of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code [48900](#), with the exception of the possession or use of tobacco products, or Education Code [48900.2](#), [48900.3](#), [48900.4](#), or 48900.7. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code [49079](#))

(cf. 5125 - Student Records)

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

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student

was suspended or expelled from his/her former district and of the act that resulted in the suspension or expulsion. (Education Code [48201](#))

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code [49079](#))

Notice Regarding Student Offenses Committed While Outside School Jurisdiction

When a minor student has been found by a court of competent jurisdiction to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code [828.1](#))

(cf. 3515.3 - District Police/Security Department)

When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code [290](#), assault or battery, larceny, vandalism, or graffiti, the

Superintendent or designee shall so inform the school principal. (Welfare and Institutions Code [827](#))

The principal shall disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. The principal also may inform any teacher or administrator he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code [827](#))

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code [827](#))

When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code [827](#))

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code [827](#))

Procedures to Maintain Confidentiality of Student Offenses

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the staff member a written notification that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education

Code [49079](#) and Welfare and Institutions Code [827](#), an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.

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The Board of Trustees desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing them with necessary assistance

and support when emergency situations occur.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [3515](#) - Campus Security)

(cf. 5131.4 - Student Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. The Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises.

(cf. [3320](#) - Claims and Actions Against the District)

(cf. 3515.4 - Recovery for Property Loss or Damage)

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, and crisis resolution.

(cf. [4131](#) - Staff Development)

(cf. 4231 - Staff Development) (cf. 4331 - Staff Development)

The Superintendent or designee also shall ensure that employees are informed, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom.

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

(cf. 5141 - Health Care and Emergencies) Reporting of Injurious Objects

The Board requires employees to take immediate action upon being made aware that any person is in possession of an unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and, based upon this analysis, shall do one of the following:

Confiscate the object and deliver it to the principal immediately

Immediately notify the principal, who shall take appropriate action

Immediately call 911 and the principal

(cf. 5131.7 - Weapons and Dangerous Instruments) (cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings 32225-32226 Communication devices

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of students 48201 Transfer of student records

48900-48926 Suspension or expulsion

49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion 49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety

GOVERNMENT CODE

995-996.4 Defense of public employees 3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials 240-246.3 Assault and battery, including:

241.3 Assault against school bus drivers

241.6 Assault on school employee includes board member

243.3 Battery against school bus drivers

243.6 Battery against school employee includes board member

245.5 Assault with deadly weapon; school employee includes board member

290 Registration of sex offenders

601 Trespass by person making credible threat

626-626.11 School crimes

646.9 Stalking

12403.7 Weapons approved for self defense

WELFARE AND INSTITUTIONS CODE

827 Juvenile court proceedings; reports; confidentiality

828.1 District police or security department, disclosure of juvenile records

COURT DECISIONS

City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526 Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/lss/>

Policy McCABE UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 27, 2017 El Centro, California

[McCabe Union ESD](#) | BP 5145.3 Students

Nondiscrimination/Harassment

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

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

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5137](#) - Positive School Climate)

(cf. [5145.9](#) - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6164.6 - Identification and Education Under Section 504)

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

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

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

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

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [1330](#) - Use of Facilities)

(cf. [4131](#) - Staff Development) (cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

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

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

(cf. [4118](#) - Suspension/Disciplinary Action)

(cf. [4119.21/4219.21/4319.21](#) - Professional Standards)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [5144](#) - Discipline)

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

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. [5145.2](#) - Freedom of Speech/Expression)

Record-Keeping

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

(cf. [3580](#) - District Records) Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation of notices

49020-49023 Athletic programs

Prohibited instruction or activity

Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130 Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy McCABE UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 27, 2017 El Centro, California

[McCabe Union ESD](#) | AR 5145.3 Students

Nondiscrimination/Harassment

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The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code [234.1](#); 5 CCR [4621](#))

Superintendent or Designee
701 W. McCabe Road
El Centro, CA 92243
(760) 335-5200

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [1312.3](#) - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at the district school or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public, posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available.

(cf. [1113](#) - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code [234.1](#))

Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. [5145.6](#) - Parental Notifications)

The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in the district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination 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 information for parents/guardians with limited English proficiency.

Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. [1240](#) - Volunteer Assistance)

(cf. [4131](#) - Staff Development) (cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code [234.1](#))

At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students' privacy rights and ensure their safety from threatened or potentially discriminatory behavior.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

Removing vulgar or offending graffiti

(cf. [5131.5](#) - Vandalism and Graffiti)

Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community

(cf. [4112.6/4212.6/4312.6](#) - Personnel Files)

(cf. [4119.23/4219.23/4319.23](#) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5125](#) - Student Records)

Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. [4118](#) - Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [5144](#) - Discipline)

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

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code [234.1](#))

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code [210.7](#))

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

Refusing to address a student by a name and the pronouns consistent with his/her gender identity

Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable

Blocking a student's entry to the bathroom that corresponds to his/her gender identity

Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex

Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent

Use of gender-specific slurs

Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression.

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case by-case basis, in accordance with the following guidelines:

Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR [99.31](#). Any district employee to whom a student's transgender or gender

nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this procedure, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. [1340](#) - Access to District Records)

(cf. [3580](#) - District Records)

Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains desegregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR [432](#) shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

(cf. [5125](#) - Student Records)

(cf. [5125.1](#) - Release of Directory Information)

Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying district policy.

Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on the school site.

(cf. [5132](#) - Dress Code)

Regulation McCABE UNION ELEMENTARY SCHOOL DISTRICT

approved: June 27, 2017 El Centro, California

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

(cf. [4119.22](#) - Dress and Grooming)

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 5144 - Discipline)

Gang-Related Apparel

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

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [5136](#) - Gangs)

Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the

Superintendent, staff and parents/guardians may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If the school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code [35183](#))

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Legal Reference:

EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms 35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993) 827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251 Hartzell v. Connell, (1984) 35 Cal. 3d 899

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Students are expected to attend school in clean, neat clothing. It is the mission of the school district not only to provide academic education but also to provide education in morals, manners, dress and grooming because these are elements of good citizenship. Research has shown that student dress and appearance affect student attitudes and conduct. These guidelines are intended to define "appropriate student attire" and personal grooming. Their purpose is to prevent disruption of the classroom atmosphere, enhance classroom decorum, eliminate disturbances among other students in attendance and minimize distraction of other students so as not to interfere with the educational process. It is also intended to help protect the health and welfare of the individual student.

All students shall abide by the following:

Hair shall be clean and neatly groomed. Aerosol cans of hair color are not permitted at school. Hair may not be sprayed with any coloring. Dyeing hair in a manner that may create a distraction is not acceptable.

Shoes must be worn at all times. For safety purposes sandals must have back straps. Thongs are not permitted.

Commercial lettering or printing will be allowed on shirts and sweatshirts as long as it is acceptable for school attire. Clothing and jewelry shall be free of writing, pictures or any other insignia which are crude, vulgar, profane, sexually suggestive, or which advocate negative racial, ethnic, or religious prejudice, or use of glorification of drugs or alcohol.

Hats, caps and other types of head covering shall not be worn inside buildings. Hats are not to be worn backwards.

Sunglasses are approved for campus wear, but not for the classroom.

All clothing shall be within the bounds of decency and good taste as appropriate for school. Garments shall be sufficient to conceal under-garments at all times.

a. Dress length shall be within the bounds of decency and good taste and not shorter than mid-thigh. b. Shorts may not be shorter than mid-thigh.

Shorts, pants, skirts shall have no writing across the seat area.

T-shirts and polo type shirts that are not tucked-in shall not extend below the pockets of pants or shorts. All other shirts should be worn with tails tucked-in.

No bare midriffs. As a test for appropriate length, have the student raise their arms above their head. If this reveals a bare midriff then the top is too short. No low-cut or revealing tops. No "off the shoulder" blouses. Tube tops, spaghetti strap tops, tank tops with narrow straps (all straps must be two inches or greater), halter tops and/or any strapless top or dress which reveal the midriff or breast are neither acceptable nor permitted. No under shirts shall be worn as outerwear.

No "see through" or "fish net" type of blouse or shirt may be worn. Boys must wear shirts at all times.

Ornamentation or jewelry, which pose a safety hazard, shall not be worn. This includes but not limited to, studded cuffs, hanging chains, bandanas, and sweatbands. Students shall not wear jewelry in pierced tongues, faces, or body parts other than ears.

i. Makeup should not be brought to school and should be applied at home.

Wearing of Shorts

Students will be allowed to wear Bermuda shorts, walking shorts or shorts of this type within the following guidelines:

Shorts must be hemmed and straight legged. The length of the shorts must be within the bounds of decency and in good taste as appropriate for school. If the shorts have slits or notches, tops of the slits or notches cannot be above mid-length. Wrap and/or thin nylon "see through" shorts are neither acceptable nor permitted. Shorts must be no shorter than mid-thigh and must be worn at the waist. Saggy shorts or shorts with length below the knee are not allowed.

Short shorts, or gym shorts, are absolutely not to be worn in school in classrooms other than P.E.

Shorts, which do not meet this criteria, are not allowed. Tops worn with shorts must adhere to the guidelines above.

Long Pants

Long pants are allowed for both girls and boys. The fullness must not interfere with the normal school activities and they must be clean and neat at all times. Students wearing overalls or other bib-type attire must have the straps buttoned appropriately and wear an acceptable shirt or blouse underneath. All long pants must be the proper waist size, length, and leg size:

The pants waist size must not be more than one inch bigger than the correctly measured student waist size. Pants cannot be gathered or drawn together at the waist and must not hang below the waist.

To check if the pants are oversized in the leg, take a measuring tape and pull the pants tight at the calf muscle. If the excess pants material that can be gathered up measures five (5) inches or more they are too big and are not acceptable for school.

Pant inseams must be appropriately sized for the student. Pant length should not touch or drag on the ground.

Belts must not be more than three (3) inches longer than the students measured waist size.

Gang Symbols and Gang Related Apparel

The Governing Board desires to keep district schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use or disruptive behavior. "Gang Related Apparel" is defined in Education Code Section 35183 as apparel that, if worn or displayed on a school campus, reasonably could be determined to threaten the health and safety of the school environment. The Administration, therefore, prohibits the presence of any apparel, jewelry, accessory, notebook or manner of grooming which, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in such a group. (i.e., wearing or possession of chains, rags, bandannas, stocking caps, long belts, baggy/oversized pants, cut off or saggy pants, pants worn very low below the waist, etc.)

Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang membership shall be referred to the principal or vice principal.

Disciplinary problems shall be handled as individual problems and not labeled as gang problems. Legal Reference:

EDUCATION CODE

32281 School safety plans

35183 School dress codes; uniforms 35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

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Regulation McCABE UNION ELEMENTARY SCHOOL DISTRICT

approved: June 27, 2017 El Centro, California

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STUDENTS VIOLATING ANY PART OF THE DRESS CODE WILL BE ISSUED ONE WARNING AND SENT HOME TO CHANGE INTO APPROPRIATE CLOTHING OR BE ISSUED A SCHOOL TEE SHIRT, IF NECESSARY. THE SECOND AND SUBSEQUENT VIOLATION OF THE SAME NATURE WILL RESULT IN THE STUDENT BEING REFERRED TO THE PRINCIPAL FOR DISCIPLINE, WHICH SHALL INCLUDE SUSPENSION. COACHES AND TEACHERS IN ACTIVITY CLASSES MAY IMPOSE MORE STRINGENT REQUIREMENTS (THAN THE ABOVE) CONSISTENT WITH THE NEEDS OF THE PARTICULAR SPORT AND/OR CLASS SAFETY.

Dear Parents;

Please discuss this policy with your children. Sign and return to your child's teacher.

I have read the above policy and understand the

(Students Name) dress code and the consequences for dress code violation/s. Parent Signature

Exhibit McCABE UNION ELEMENTARY SCHOOL DISTRICT

version: June 27, 2017 El Centro, California

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Weapons And Dangerous Instruments

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The Board of Trustees recognizes that students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. 3515.3 - District Police/Security Department)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. [5131](#) - Conduct)

(cf. 5138 - Conflict Resolution/Peer Mediation)

Possession of Weapons

The Board prohibits any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the school, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

(cf. [4158/4258/4358](#) - Employee Security)

Unless he/she has obtained prior written permission as specified below, a student possessing or threatening others with any weapon, dangerous instrument, or imitation firearm shall be subject to suspension and/or expulsion in accordance with law, Board policy, and administrative regulations.

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

The principal or designee shall notify law enforcement authorities when any student possesses a firearm, explosive, or other prohibited weapon or dangerous instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (Education Code [48902](#); Penal Code [245](#), [626.9](#), [626.10](#); 20 USC [7151](#))

(cf. [3515.2](#) - Disruptions)

Reporting of Dangerous Objects

The Board encourages students to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. [5125](#) - Student Records)

The Superintendent or designee shall develop strategies designed to facilitate student reporting of the presence of injurious objects on school grounds, such as tip hotlines, electronic transmissions, or other methods that preserve the student's anonymity. Incident reports and records shall not identify the student who reported the possession. The Superintendent or designee also shall inform staff, students, and parents/guardians that students who report the presence of injurious objects on school campus are to be protected and their identity shielded.

Legal Reference:

EDUCATION CODE

35291 Governing board to prescribe rules for discipline of the schools

48900 Grounds for suspension/expulsion

48902 Notification of law enforcement authorities

Required recommendation for expulsions

Readmission

49330-49335 Injurious objects

PENAL CODE

245 Assault with deadly weapon

417.4 Imitation firearm; drawing or exhibiting

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school

653k Switchblade knife

16100-17350 Definitions

22810-23025 Tear gas weapon (pepper spray)

25200-25225 Firearms, access to children

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 20

6301-7941 No Child Left Behind Act, especially:

7151 Gun-Free Schools Act Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug Free Schools:
<http://www.ed.gov/about/offices/list/osdfs>

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Weapons And Dangerous Instruments

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Prohibited weapons and dangerous instruments include, but are not limited to: (Education

Code [48915](#), [49330](#); Penal Code [626.10](#), 16100-17350, [30310](#))

Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion

Ammunition or reloaded ammunition

Knives, razor blades, and box cutters: any dirks, daggers, ice picks, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than two and one-half inches, folding knives with a blade that locks into place, and razors with an unguarded blade

Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices

Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure, or spring action, or any spot marker gun

Any other dangerous device, instrument, or weapon, including those defined in Penal Code [12020](#), including a blackjack, slingshot, billy, nunchaku, sand club, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon

Any imitation firearm, defined as 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

Any employee may take any weapon or dangerous instrument from the personal possession of a student while the student is on school premises or under the authority of the district. (Education Code [49331](#), [49332](#)) (cf. 5145.12 - Search and Seizure)

In determining whether to take possession of the weapon or dangerous instrument, the employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall take one of the following actions:

Confiscate the object and deliver it to the principal immediately

Immediately notify the principal, who shall take appropriate action

Immediately notify the local law enforcement agency and the principal

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. 3515.3 - District/Police Security Department)

(cf. [4158/4258/4358](#) - Employee Security)

When informing the principal about the possession of a weapon or dangerous instrument, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of the possession.

The principal shall report any possession of a weapon or dangerous instrument to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

The employee shall retain possession of the instrument until the risk of its use as a weapon has dissipated or, upon the request of the student's parent/guardian, until the parent/guardian appears and personally takes possession. (Education Code [49331](#), [49332](#))

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The Board of Trustees believes that it is important for parents/guardians and community members to take an active interest in the issues affecting the district school 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 Superintendent or designee. When a visit involves a conference with a teacher or the Superintendent, 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 Superintendent 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 Superintendent 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 Superintendent shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code [626.81](#)) Legal Reference:

EDUCATION CODE

Willful disturbance of public school or meeting

Threatened disruption or interference with classes; misdemeanor

Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

49091.10 Parental right to inspect instructional materials and observe school activities

51101 Parent Rights Act of 2002

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex offenders

626-626.10 Schools

626.81 Misdemeanor for registered sex offender to come onto school grounds 627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

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The Superintendent or designee shall post at every entrance to the school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code [32211](#); Penal Code [627.6](#))

Unless otherwise directed by the Superintendent or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.

Registration Procedure

In order to register, an outsider shall, upon request, furnish the Superintendent or designee with the following information: (Penal Code [627.3](#))

His/her name, address, and occupation

His/her age, if less than 21

His/her purpose for entering school grounds

Proof of identity

Other information consistent with the provisions of law

Superintendent's Registration Authority

The Superintendent or designee may refuse to register any outsider if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The Superintendent or designee or school security officer may revoke any outsider's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code [627.4](#)) (cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

When an outsider fails to register, or when the Superintendent or designee denies or revokes an outsider's registration privileges, the Superintendent or designee may request that the individual promptly leave school grounds. When an outsider is directed to leave, the Superintendent or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code [627.7](#))

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent shall be held within seven days after receipt of the request. (Penal Code [627.5](#))

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [1312.3](#) - Uniform Complaint Procedures)

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Sexual Harassment



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

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5137](#) - Positive School Climate)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

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

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

A clear message that students do not have to endure sexual harassment under any circumstance

Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained

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

A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students

Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

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.

A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Complaint Process and Disciplinary Actions

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

(cf. [1312.3](#) - Uniform Complaint Procedures)

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

(cf. [5144](#) - Discipline)

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

(cf. [5144.2](#) - Suspension and Expulsion/Due Process (Students with Disabilities))

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

(cf. [4117.7](#) - Employment Status Report)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the district school. (cf. [3580](#) - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex 48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

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

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130 Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274 Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447 Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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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 and California Education Code [234.1](#), as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Superintendent or Designee 701 W. McCabe Road

El Centro, CA 92243

(760) 335-5200

(cf. [1312.3](#) - Uniform Complaint Procedures)

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

Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.

Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.

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.

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. (cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5137](#) - Positive School Climate)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

Unwelcome leering, sexual flirtations, or propositions

Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions

Graphic verbal comments about an individual's body or overly personal conversation

Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature

Spreading sexual rumors

Teasing or sexual remarks about students enrolled in a predominantly single-sex class

Massaging, grabbing, fondling, stroking, or brushing the body

Touching an individual's body or clothes in a sexual way

Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex

Displaying sexually suggestive objects

Sexual assault, sexual battery, or sexual coercion

Electronic communications containing comments, words, or images described above

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

Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she 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 his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the district's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she 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 principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and district procedures specified in AR 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR [4964](#))

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

(cf. [4119.23/4219.23/4319.23](#) - Unauthorized Release of Confidential/Privileged Information)

(cf. [5125](#) - Student Records)

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy.

The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

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

Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code [48980](#); 5 CCR [4917](#))

(cf. [5145.6](#) - Parental Notifications)

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](#))

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

(cf. [1113](#) - District and School Web Sites)

(cf. [1114](#) - District-Sponsored Social Media)

Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code [231.5](#))

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](#))

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Bullying

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The Board of Trustees recognizes the harmful effects of bullying on student learning and school attendance and

desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

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

(cf. [5131](#) - Conduct)

(cf. [5136](#) - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for addressing bullying in the district school shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. [0420](#) - School Plans/Site Councils)

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [0460](#) - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. [1400](#) - Relations Between Other Governmental Agencies and the Schools)

(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in the school and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. [1020](#) - Youth Services)

Bullying Prevention

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

(cf. [5137](#) - Positive School Climate)

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

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction) (cf. 6163.4 - Student Use of Technology)

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

(cf. [4131](#) - Staff Development) (cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

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

Intervention

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

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code [234.1](#))

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case

management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code [48900.9](#))

(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. [1312.3](#) - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

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.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code [48900](#), may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

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](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4119.21/4219.21/4319.21](#) - Professional Standards)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094 Lavine v. Blaine School District, (2002) 279 F.3d 719 Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010 WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Common Sense Media: <http://www.common sense media.org>

National School Safety Center: <http://www.schoolsafety.us>

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

U.S. Department of Education: <http://www.ed.gov>

Policy McCABE UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 27, 2017 El Centro, California

[McCabe Union ESD](#) | BP 5137 Students Positive School Climate

◀ [Previous](#) [Next](#) ▶

The Board of Trustees desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)

(cf. [3515](#) - Campus Security)

(cf. [3515.2](#) - Disruptions)

(cf. [5030](#) - Student Wellness)

(cf. [5131.4](#) - Student Disturbances)

(cf. 5142 - Safety)

(cf. 5145.3 - Nondiscrimination/Harassment)

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

(cf. [4119.21/4219.21/4319.21](#) - Professional Standards)

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [3513.3](#) - Tobacco-Free Schools)

(cf. [4020](#) - Drug and Alcohol-Free Workplace)

(cf. [5131](#) - Conduct)

(cf. [5131.1](#) - Bus Conduct)

(cf. [5131.6](#) - Alcohol and Drugs)

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

(cf. [5136](#) - Gangs)

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

(cf. [5131.9](#) - Academic Honesty)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.94 - History/Social Science Instruction)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the school, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the school.

(cf. [1240](#) - Volunteer Assistance)

(cf. [5126](#) - Awards for Achievement)

(cf. [5131.5](#) - Vandalism and Graffiti)

(cf. 5148.2 - Before/After School Programs)

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The school shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

(cf. [4131](#) - Staff Development)

(cf. [4231](#) - Staff Development) (cf. [4331](#) - Staff Development) Legal Reference:

EDUCATION CODE

233-233.8 Hate violence prevention

32280-32289 School safety plans

32295.5 Teen court programs

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Teachers' duty concerning conduct of students

48900-48925 Suspension and expulsion Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Learning Support: <http://www.cde.ca.gov/ls>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug-Free Schools: <http://www.ed.gov/offices/OESE/SDFS>

Policy McCABE UNION ELEMENTARY SCHOOL DISTRICT

adopted: June 27, 2017 El Centro, California

Student Release Form – Multiple Students

Incident Date: _____ Location: _____

Student's Name	Grade	Teacher	Printed Name of Responsible Party	ID Verified	Emergency Card Release Verification	Time Out	Signature

Form Complete By: _____ Date: _____ Page _____ of _____

Student Release / Reunification Request and Verification

Completed by Parent/Requester	<p>Student Last Name: _____ Student First Name: _____</p> <p>Grade: _____ Teacher: _____</p> <p>Name (First and Last) of Person Picking up Student: _____</p> <p>Relationship to Student: _____</p>
Completed by Staff	<p>Emergency Card / Release To Verification: YES NO</p> <p>Photo ID / Driver's License Verification: <input type="checkbox"/></p> <p>Other Information: _____</p>

Telephone Bomb Threat Checklist

Instructions: Remain calm and be courteous with the caller. Do not interrupt the caller. Pretend you can't hear the caller and try to keep them talking. Fill out the form with as much information as possible.

Date	Time of Call	Caller's Phone Number
Sex of Caller: M/F	Approximate Age	
What was the exact wording of the threat:		

1. When will the bomb explode?
2. Where is the bomb now?
3. What does the bomb look like?
4. What kind of bomb is it?
5. What will cause the bomb to explode?
6. Did you place the bomb? If so, Why?
7. What is your name?

Describe the caller’s voice (circle any that apply):

calm	lisp	deep	soft	angry	crying
slow	loud	excited	normal	raspy	distinct
nasal	stutter	cracking	laughing	slurred	accented
ragged	deep	breathing	other:		

Was the voice familiar to you? **Y \ N**
Like whom?

Describe the threat language (circle any that apply):

well-spoken	foul	incoherent	message read
serious	irrational	other: _____	

Describe any background noise (circle any that apply):

street	long-distance	clear	music	office	local
factory	motor	house	static	voices	animals
other: _____					

Your Name	Your Phone Number
Your Position	Date of Report

This form should be reproduced and place by all phone.
McCabe Union Elementary School District

To Be Completed by **Mandated Child Abuse Reporters** Pursuant to Penal Code Section 11166

SUSPECTED CHILD ABUSE REPORT To Be Completed by Mandated Child Abuse Reporters Pursuant to Penal Code Section 11166				
PLEASE PRINT OR TYPE		CASE NAME: _____		
		CASE NUMBER: _____		
A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE	
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS Street City Zip		DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO	
	REPORTER'S TELEPHONE (DAYTIME) ()	SIGNATURE		
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION AGENCY <input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		DATE/TIME OF PHONE CALL	
	ADDRESS Street City Zip		TELEPHONE ()	
	OFFICIAL CONTACTED - TITLE			
C. VICTIM One Report Per Victim	NAME (LAST, FIRST, MIDDLE)		BIRTHDATE OR APPROX. AGE	
	ADDRESS Street City Zip		SEX	
	PRESENT LOCATION OF VICTIM		ETHNICITY	
	SCHOOL		TELEPHONE ()	
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	CLASS	
	OTHER DISABILITY (SPECIFY)		GRADE	
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO		PRIMARY LANGUAGE SPOKEN IN HOME	
	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME		TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)	
RELATIONSHIP TO SUSPECT		PHOTO'S TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		
DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK				
D. INVOLVED PARTIES	VICTIMS NAME BIRTHDATE SEX ETHNICITY			
	1. _____		3. _____	
	2. _____		4. _____	
	PARENTS/GUARDIANS NAME (LAST, FIRST, MIDDLE) BIRTHDATE OR APPROX. AGE SEX ETHNICITY			
	ADDRESS Street City Zip		HOME PHONE ()	BUSINESS PHONE ()
	SUSPECT NAME (LAST, FIRST, MIDDLE) BIRTHDATE OR APPROX. AGE SEX ETHNICITY			
	ADDRESS Street City Zip		HOME PHONE ()	BUSINESS PHONE ()
	OTHER RELEVANT INFORMATION			
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____			
	DATE / TIME OF INCIDENT	PLACE OF INCIDENT		
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)			

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY-District Attorney's Office; YELLOW COPY-Reporting Party

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://www.leginfo.ca.gov/calaw.html> (specify "Penal Code" and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

- Mandated child abuse reporters include all those individuals and entities listed in PC Section 11165.7.

II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

- Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC Section 11165.9.)

III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

IV. INSTRUCTIONS

- SECTION A - REPORTING PARTY:** Enter the mandated reporter's name, title, category (from PC Section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes-no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (Continued)

- SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.
- SECTION C - VICTIM (One Report per Victim):** Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes-no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes-no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.
- SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).
- SECTION E - INCIDENT INFORMATION:** If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

- Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send **white copy** to police or sheriff's department, **blue copy** to county welfare or probation department, and **green copy** to district attorney's office.

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

OSP 03 74570

Classroom Attendance Verification

Lead Teacher: Verify all classes are in attendance by their green card by checking off ALL CLEAR. If red card is displayed, document teacher name and any missing students.

Room Number	ALL CLEAR	Teacher	Name of Missing Student	Student Last Seen or Suspected Whereabouts

Form Complete By: _____ Date: _____

Clear Zone Verification

Verify all zones are cleared and all classes' attendance has been verified. CIRCLE if CLEAR: McCabe Corfman

Zone/Grade Level	ALL CLEAR	Name of Missing Student	Student Last Seen or Suspected Whereabouts
McCabe 1			
McCabe 2			
McCabe 3			
McCabe 4			
Corfman 1			
Corfman 2			
Corfman 3			
Corfman 4			
Corfman 5			
TK/Kinder			
1 st			
2 nd			
3 rd			
4 th			
5 th			
6 th			
7 th			
8 th			

Form Completed By: _____ Date: _____

2023 - 2024 ANNUAL PARENT NOTIFICATION STUDENT AND PARENT/GUARDIAN RIGHTS INFORMATION

Verbatim Wording Available

The California Education Code (EC) requires that parents and guardians of minor students be provided information regarding student and parent/guardian rights relating to certain activities. Further information regarding any section of the Education Code and the verbatim wording may be requested from any school administrator.

Please carefully read the rights and responsibilities below. After you have done so, please sign and return the enclosed acknowledgment to your student's school indicating that you have received and reviewed this information. (EC § 48982) Pursuant to parent request, the annual parent notification will be provided to the parent or guardian in an electronic format. If the notice is provided in an electronic format, the parent or guardian must submit to the school a signed acknowledgment of receipt of this notice.

EC § 215 - Pupil Suicide Prevention Policies: Before the beginning of the 2020-21 school year, the governing board or body of a local educational agency that serves pupils in kindergarten and grades 1 to 6 shall adopt a policy on pupil suicide prevention for the above grade levels. The policy shall also, at minimum, address procedures relating to suicide prevention, intervention, and postvention.

EC § 220 - Discrimination: The District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, marital or parental status, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex (sexual harassment), sexual orientation, or association with a person or a group with one of these actual or perceived characteristics. Complaints may be filed with the superintendent under the District's complaint procedure.

EC § 221.5 - Career Planning, Counseling: Students are provided with career counseling and information regarding careers. Academic and elective courses are conducted without regard to the sex of the students enrolled in such classes. Notification of parents or guardians of students shall be given in advance of any career counseling to invite them to participate in these counseling sessions.

EC § 221.5(d) - Sex Equity In Career Counseling And Course Selection: Commencing in Grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

EC § 230 - Parental, Marital Status: The Governing Board recognizes that early marriage; pregnancy or parenting 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 to promote the healthy development of their children.

The District shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. Complaints may be filed with the superintendent under the district's complaint procedure.

EC § 231.5, CCR 4917– Sexual Harassment Policy: The District has a written policy regarding sexual harassment. This policy is part of any student orientation for new students, is included with mandated parental notifications, is posted, and is distributed to all employees. The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. 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.

For procedures and how to report a charge of sexual harassment, please contact:

McCabe Superintendent or Designee
701 W. McCabe Road, El Centro, CA 92243
(760) 335-5200

EC § 234, 234.1- Safe Place To Learn Act: The District has adopted policies pertaining to the following:

- Prohibition of discrimination and harassment based on characteristics set forth in EC § 220 and Penal Code 422.55;
- Process for receiving and investigating complaints of discrimination and harassment.
- Maintenance of documentation of complaints and their resolution.
- Process to ensure complainants are protected from retaliation and the identity of a complainant is kept confidential if appropriate; and
- Identification of a responsible LEA officer to ensure compliance.

The school district's policies and process for filing a complaint are available to students, parents, employees, and agents of the governing board. The notice shall be in English and in the primary language if 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 inclusive, speak a single primary language other than English as determined by census data. The antidiscrimination and anti- harassment policies shall also be posted in schools and administrative offices.

EC § 234.2 - Cyber Sexual Bullying: DISTRICT may suspend or expel students who engage in cyber sexual bullying consistent with the DISTRICT'S disciplinary procedures.

EC § 234.6 - Bullying And Harassment Prevention Information: Commencing with the 2020-21 academic year, each county office of education, school district, and charter school – or LEA (“local education agency”) for the purpose of this section – shall ensure that all of the following information is readily accessible in a prominent location on the local educational agency's existing website in a manner that is easily accessible to parents or guardians and pupils:

1. The LEA's policy on pupil suicide prevention in grades 7 to 12

2. The LEA's policy on pupil suicide prevention in kindergarten and grades 1 to 6, including reference to the age appropriateness of that policy
3. The definition of discrimination and harassment based on sex, and the rights derived from the Sex Equity in Education Act
4. The Title IX information included on a LEA's internet website, which also includes the District's training materials
5. A link to the Title IX information included on the department's internet website
6. The LEA's written policy on sexual harassment, as it pertains to pupils
7. The LEA's policy, if it exists, on preventing and responding to hate violence
8. The LEA's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies
9. The LEA's anti-cyberbullying procedures
10. A section on social media bullying that includes all of the following references to possible forums for social media bullying:
 - a. Internet websites with free registration and ease of registration
 - b. Internet websites offering peer-to-peer instant messaging
 - c. Internet websites offering comment forums or sections
 - d. Internet websites offering image or video posting platforms
11. A link to statewide resources, including community-based organizations, compiled by the department
12. Any additional information the LEA deems important for preventing bullying and harassment

EC § 234.7 – Educational Equity Regardless of Immigration Status, Citizenship, or Religion:

Children have a right to a free public education, regardless of immigration status, citizenship status, or religious beliefs. When enrolling a child, schools must accept a variety of documents from the student's parent to demonstrate proof of child's age or residency. No information about citizenship/immigration status or Social Security number is required to enroll in school. Parents have the option to provide a school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for a minor student in the event the parent is detained or deported. Parents have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for a minor student. Students have the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated, or bullied on the basis of actual or perceived nationality, ethnicity, or immigration status.

The California Attorney General's website provides "California Laws Protecting Immigrants' Civil Rights" resources for immigrant students and family members online at <https://oag.ca.gov/immigrant/ca-law>.

EC § 17612, 48980.3 – Pesticides: The district is required to provide to the parents the name of all pesticide products expected to be applied at school facilities during the upcoming school year. Such notice will be provided at the beginning of the first semester and will include identification of the active ingredients in each pesticide, and the Internet address used to access information on pesticides developed by the Department of Pesticide Regulation. Parents and guardians have the right to register with the district if they wish to receive notification of individual pesticide applications at a particular school facility.

EC § 32210 - Disruption in Public School or Public Meeting: School districts may inform parents or guardians that any person who willfully disturbs any public school or public-school meeting is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500).

EC § 32221.5 – Pupil’s Insurance for Athletic Teams: Under state law school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling (760) 335-5200 or on the McCabe website: www.muesd.net

EC § 32255 et seq. – Use of Animals: Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals based on moral objections and may complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent or guardian must submit a written note of the objections to participating in an educational project involving the harmful or destructive use of animals. An opt-out form is provided within this notice.

EC § 32280 et seq. – School Safety Plan: Each school has an adopted safety plan which includes policies against discrimination and harassment. Safety plans are available upon request at each school site.

EC § 32390 – Fingerprint Program: The District may offer a fingerprint program for all students newly enrolled in the district or annually. Each parent or guardian will be informed of any such program when the student enrolls, and annually, of the availability of the program. Parents or guardians must consent in writing to enroll their students in this program and must pay the applicable fee.

EC § 35178.4 – School Accreditation: The District is required to notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school’s loss of status, in writing or by posting the information on the District’s Internet Website.

EC § 35182.5 - Electronic Products Or Services That Disseminate Advertising: If the District enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district must provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

EC § 35183 – Dress Code: The district is authorized to adopt a dress code that would prohibit the wearing of “gang-related clothing.” The school district is also authorized to adopt a dress code policy that would require students to wear a school-wide uniform. Notice of the adoption of a district dress code or required uniforms will be given to parents at least six months prior to such adoption along with notice of the availability of resources to assist economically disadvantaged students.

EC § 35186 – Williams Complaint Policy & Procedures: Requires school districts to use a modified uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, teacher vacancy or misassignment, and intensive instruction and services provided to pupils who have not passed one or both parts of the high school exit examination after 12th grade. Notice of the complaint process and the location at which to obtain a complaint form shall be posted in classrooms. Complaints may be filed anonymously.

EC § 35256 – School Accountability Report Card: A hard copy of the annual School Accountability Report Card will be provided, upon request, on or before February 1 of each school year. School district is highly encouraged to include annual school report card with Annual Notice.

EC § 35291 – Student Discipline: Rules pertaining to student discipline, including those which govern suspension or expulsion, are available from the building principal. They are also communicated to all students every year.

EC § 39831.5 – School Bus and Passenger Safety: Requires school districts to provide bus safety regulations to all new students in pre- kindergarten, kindergarten and first through sixth grade inclusive who were not previously transported by school bus. The bus safety regulations shall include: a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops.

EC § 44807 - Duty Concerning Conduct of Pupils:

Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, and on the playground, or during recess. A teacher, vice principal, principal or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree or physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

EC § 44810 – Parental Interference with Classroom Conduct: It is prohibited for any person over 16 years of age, including but not limited to a student's parent or guardian, to come on school property and willfully interfere with the discipline, good order, lawful conduct, or administration of any school class or activity of the school, with the intent to disrupt, obstruct, or to inflict damage to property or bodily injury upon any person. This behavior constitutes a misdemeanor, and the district will immediately report all such willful interference with the appropriate authorities, as well as the district may prohibit or limit such persons from returning to school property in accordance with district policy.

EC § 46010.1 – Permissive Absence for Medical Services Without Parental Consent: School authorities may excuse any student in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.

EC § 46014 – Religious Instruction: Absence may be granted for absence at a religious retreat or to participate in religious exercises pursuant to DISTRICT policy.

EC § 221.51, 222.5, 46015- Rights And Options Available To Pregnant And Parenting Pupils:

A pregnant or parenting pupil is defined as any pupil who gives or expects to give birth, or any parenting pupil who identifies as the parent of an infant. Pregnant and parenting pupils are entitled to at least eight weeks of parental leave, which can be taken before birth of the pupil's infant if there is a medical necessity, or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The pupil is neither required to take time off nor notify their school that they are doing so; this is a guaranteed minimum right that can be expanded if deemed medically necessary. Parental leave will be considered an excused absence, and the pregnant or parenting pupil is not required to complete any academic work during this period.

A pregnant or parenting pupil may return to their previous school and course of study and is entitled to make up opportunities for any work missed during the leave. These students are allowed to enroll in a fifth year of high school in order to complete any state or local graduation requirements, except when the school finds that the pupil is reasonably able to complete these requirements in time to graduate high school by the end of their fourth year.

A pregnant or parenting pupil who does not wish to reenroll in his or her previous school is entitled to alternative education options offered by the local education agency. If so enrolled, the pupil shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular program. Furthermore, a school may not penalize a student for using any of the accommodations mentioned above.

A school may not apply any rule concerning a pupil's actual or potential parental, familial, or marital status that treats pupils differently on the basis of sex. Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children by establishing specified rights.

If a student believes that his or her school is discriminating on the basis of sex in opposition to the rights and entitlements listed above, that student can file a complaint through the standard Uniform Complaint Procedures of California Code of Regulations, Title 5 Sections 4600, et. seq.

EC § 46148 - School Start Time-: Commencing July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement operative on January 1, 2020 expires (whichever is later), the school day for middle and high schools must begin no earlier than 8:00 a.m. and 8:30 a.m., respectively. The State Department of Education will advise school districts and charter schools of the posting of information on its website related to research on the impact of sleep deprivation on adolescents and the benefits of a later school start time. This start time requirement will not apply to rural school districts.

EC § 46600 – Interdistrict Transfers: Where permitted by law and board policy, students may apply for interdistrict transfer permits under the guidelines in Education Code §§ 46600-46611 and pursuant to district policy. If a student has been a victim of an act of bullying by a student of the school district of residence, the student-victim will be given priority for interdistrict attendance.

EC § 48000 – Enrollment in Kindergarten: Students will be enrolled in kindergarten at the beginning of the school year or at any later time if the student will be five years of age on or before one of the following dates:

- (3) October 1 of the 2013-2014 school year.
- (4) September 1 of the 2014-2015 school year and each school year thereafter.

For the school year 2013-2014, a child who will have his or her 5th birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.

For the school year 2014-2015 and each year thereafter, a child who will have his or her 5th birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.

On a case-by-case basis, a child who has reached age five after the date listed above but before the end of the applicable school year may be admitted to kindergarten with the approval of the child's parent or guardian and subject to governing board approval in accordance with EC § 48000.

Transitional kindergarten means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

EC § 48200, 48204, 48204.3, 48204.4, 48204.6, 48204.7 - Residency Requirements: Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if they meet any of the following:

1. Placed within the boundaries of the school district in a foster home or licensed children's institution as defined in Section 56155.5 or a family home within the boundaries of the school district pursuant to a commitment or a placement under the Welfare and Institutions Code;
2. A pupil who is in foster care who remains in their school of origin.
3. A pupil for whom interdistrict transfer has been approved;
4. An emancipated pupil who resides within the boundaries of the school district;
5. A pupil who lives in the home of a care giving adult that is located within the boundaries of the school district;
6. A pupil residing in a state hospital located within the boundaries of the school district.
7. A pupil whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of their employment within the boundaries of the school district for a minimum of three days during the school week;
8. One or both of the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week;

9. A school district shall allow a pupil who is a child of a military family to continue their education in the school of origin, regardless of any changes of residence of the military family during that school year, for the duration of the pupil's status as a child of a military family;
10. A school district shall allow a pupil who is a migratory child to continue attending their school of origin, or a school within the school district of origin regardless of any change of residence of the pupil; and
11. A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of a school district, shall be admitted, regardless of their current residency, provided the pupil has:
 - a. Official documentation evidencing the departure of their parent or legal guardian;
 - b. Moved outside of California as a result of their parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and,
 - c. Provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California.

EC § 48205 – Excused Absences: According to law, your child will be excused for absence only when the absence was:

- a. Due to his/her illness.
- b. Due to quarantine under the direction of a county or city health officer.
- c. For the purpose of having medical, dental, optometric or chiropractic services rendered.
- d. For the purpose of attending the funeral service of a member of his/her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- e. For the purpose of jury duty in the manner prescribed for by law.
- f. Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent.
- g. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his/her religion, attendance at religious retreats (not to exceed four hours per semester), attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the student's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- h. For the purpose or serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
- i. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- j. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- k. For the purpose of participating a cultural ceremony event.

1. For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence. Pursuant to subparagraph (B), a middle school or high school student who is absent is required to be excused for only one schoolday-long absence per year.

A student absent from school for one of the above reasons shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided an, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a student is absent shall determine the tests and assignment which shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence.

EC § 48206.3, 48207, 48208 – Students with Temporary Disabilities: If your child has a temporary disability which prevents him/her from attending regular classes, the district will provide individual instruction when possible. It is the parent's or guardian's responsibility to notify the district immediately if it appears as though their child may be eligible for such services. If your child is, due to temporary disability, placed in a hospital or other residential health care facility which is located outside the district, he/she may be eligible to attend school in the school district in which the hospital is located. If this situation should arise, you should notify both the district in which you reside and the district in which the hospital is located. Upon receiving notice from a parent or guardian that a child may be eligible for individualized instruction during a temporary disability, the district shall make a determination within five working days regarding whether the child will be able to receive individualized instruction. Individualized instruction shall commence no more than five working days after a positive determination has been made.

EC § 48216 – Proper Immunization: The school district may exclude any pupil not properly immunized and will notify the parent or guardian that they have two weeks to supply evidence that the pupil has been properly immunized or that the pupil is exempt from the immunization requirements as specified in Health Safety Code Sections 120365, 120370, and 120372.

EC § 48260.5 – Parent Notice of Student Classified as Truant: Upon initial classification as a truant, the district shall notify the student's parent or guardian using the most cost-effective method possible, which may include electronic mail or a telephone call.

EC § 48263 – Referral of Habitual Truants: Minor students who are habitual truants, or who are irregular in attendance at school, or who are habitually insubordinate or disorderly during attendance at school may be referred to a school attendance review board (SARB) or to the probation department for services.

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

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.

- In cases in which there are more requests to attend a school than there are openings, the selection process must be “random and unbiased,” which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student’s academic or athletic performance as a reason to accept or reject a transfer.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

Choosing a School Outside District in Which Parent Lives: Parents have the following options for choosing a school outside the district in which they live the options are:

Option 1: Districts of Choice (EC §§48300 through 48315): The law allows, but does not require, each school district to become a “district of choice” – that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. If the school board of a district decides to become a “district of choice” it must determine the number of students it is willing to accept in this category each year and accept all pupils who apply to transfer until the school district is at maximum capacity. The school district of choice shall ensure that pupils admitted under this article are selected through an unbiased process, that prohibits consideration of factors such as academic or athletic performance, physical conditions, or proficiency in English. If the district chooses not to become a “district of choice,” a parent may not request a transfer under these provisions. Other provisions of the “district of choice” option include:

- Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. A district of choice cannot deny a transfer request on the basis that the costs to provide services exceeds the revenue received, but it may reject a request if doing so would require the creation of a new program. However, the district of choice may not deny the transfer of any special needs student, including an individual with exceptional needs, or an English Learner student even if the cost to educate the student exceeds the revenue received or the creation of a new program is required. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- Communications to parents by a school district of choice shall be factually accurate and shall not target students based upon academic ability, athletic performance, or other personal characteristics.

- The district of choice must post transfer application information on its website, including any applicable forms, the timeline for a transfer, and an explanation of the selection process.
- All communications from a school district of choice regarding transfer opportunities must be available in all languages for which translations are required in the school district of residence under EC §48985.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Entrance priority must be given as follows:
 - Siblings of students already attending school in the “district of choice” must be given first priority.
 - Pupils eligible for free or reduced-price meals must be given second priority.
 - Children of military personnel must be given third priority.
 - A parent may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.
 - A school district in which an active military duty parent of a student resides shall not deny the transfer of that student to a school in any district, if the school district to which the parent of the student applies approves the application for transfer

Option 2: Other Interdistrict Transfers (EC §46600 et seq.): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application. The law on interdistrict transfers also provides for the following:

- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

EC § 48645.3-48645.7 - Juvenile Court School Pupils- Graduation Requirements:

1) When a juvenile court school pupil becomes entitled to a diploma, DISTRICT shall notify the pupil, the person holding the right to make education decisions for the pupil, and the pupil’s social worker or probation officer of all of the following:

- (A) The pupil’s right to a diploma when a pupil has met the necessary requirements.
- (B) How taking coursework and other requirements adopted by the DISTRICT Board of Education or continuing education upon release from the juvenile detention facility will affect the pupil’s ability to gain admission to a postsecondary educational institution.
- (C) Information about transfer opportunities available through the California Community Colleges.

(D) The pupil's or the education rights holder's, as applicable, option to allow the pupil to defer or decline the diploma and take additional coursework pursuant to sections 3 or 4 below.

2) If DISTRICT fails to provide timely notice that the pupil has met diploma requirements, the pupil shall be eligible for the diploma when the pupil is notified, even if the pupil is notified after termination of the court's jurisdiction over the pupil.

3) If DISTRICT makes a finding that a juvenile court school pupil, who is entitled to a diploma, could benefit from the coursework and other requirements adopted by the Imperial County Office Board of Education, DISTRICT shall:

(A) Inform the pupil of his or her option to take coursework and other requirements adopted by the Imperial County Office Board of Education.

(B) Permit the pupil, upon agreement of the pupil if the pupil is over the age of 18 or, if the pupil is under 18, upon agreement of the education rights holder to take coursework or other requirements adopted by the Imperial County Office Board of Education, and to defer the granting of the diploma until the pupil is released from the juvenile detention facility.

4) Upon release from the juvenile education center, the pupil, or pupil's education rights holder, may elect to decline the issuance of the diploma for the purpose of enrolling the pupil in a school operated by an LEA or charter school to take additional coursework. If the pupil or pupil's education rights holder is deciding on whether to decline the diploma, DISTRICT should advise the pupil or the educational rights holder to consider whether the pupil is highly likely to do all of the following:

(A) Enroll in a school operation by a LEA or charter school

(B) Benefit from continued instruction

(C) Graduate from high school

5) DISTRICT will grant a diploma to a pupil who is entitled to receive a diploma but has previously deferred or declined the diploma, at the pupil's or educational rights holder's request.

6) If a juvenile court school pupil is entitled to a diploma, DISTRICT shall not revoke that eligibility. If a former juvenile court school pupil is entitled to a diploma, that right shall continue to apply after the termination of the court's jurisdiction over the pupil.

7) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

8) A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

9) If a local educational agency finds merit in a complaint, or CDE finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

EC § 48853; 48853.5; 49069.5 - Foster Youth Bill Of Rights: "Pupil in foster care" means a child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code ("WIC"), is the subject of a petition filed under Section 300 or 602 of the WIC, or has been removed from their home and is the subject of a petition filed under WIC section 300 or 602.

A pupil in foster care who is placed in a licensed children's institution or foster family home shall attend programs operated by the local educational agency in which that licensed children's institution or foster family home is located, unless one of the following applies:

1. The pupil is entitled to remain in their school of origin;
2. The pupil has an individualized education program requiring placement in a nonpublic, nonsectarian school, or in another local educational agency.
3. The parent or guardian, or other person holding the right to make educational decisions for the pupil pursuant to Section 361 or 726 of the WIC or Section 56055 ("educational rights holder"), determines that it is in the best interests of the pupil to be placed in another educational program and has submitted a written statement to the local educational agency that they have made that determination. This statement shall include a declaration that the parent, guardian, or educational rights holder is aware of all of the following:
 - a) The pupil has a right to attend a regular public school in the least restrictive environment.
 - b) The alternate education program is a special education program, if applicable.
 - c) The decision to unilaterally remove the pupil from the regular public school and to place the pupil in an alternate education program may not be financed by the local educational agency.
 - d) Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent, guardian, or educational rights holder.

The parent or guardian, or educational rights holder shall first consider placement in the regular public school before deciding to place the pupil in foster care in a juvenile court school, a community school, or another alternative educational setting.

A pupil in foster care may still be subject to expulsion under applicable law and board policy.

Pupils in foster care are subject to other laws governing the educational placement in a juvenile court school, of a pupil detained in a county juvenile hall, or committed to a county juvenile ranch, camp, forestry camp, or regional facility, notwithstanding the rights contained in this notice.

Children in foster care living in emergency shelters (as referenced in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301, et seq.)), may receive educational services at the emergency shelter as necessary for short periods of time for either of the following reasons:

1. For health and safety emergencies.
2. To provide temporary, special, and supplementary services to meet the child's unique needs if a decision regarding whether it is in the child's best interests to attend the school of origin cannot be made promptly, it is not practical to transport the child to the school of origin, and the child would otherwise not receive educational services.

The educational services may be provided at the shelter pending a determination by the educational rights holder regarding the educational placement of the child.

All educational and school placement decisions shall be made to ensure that the child is placed in the least restrictive educational programs and has access to academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

The McCabe Union Elementary School District has designated the Superintendent, or designee, as the educational liaison for pupils in foster care. The role of educational liaison is advisory with respect to placement decisions and determination of school of origin and does not supersede the role of the parent or guardian retaining educational rights, a responsible adult appointed by the court, a surrogate parent or a foster parent exercising their legal rights with respect to the education of the child in foster care. The educational liaison serves the following roles:

1. Ensures and facilitates proper educational placement, enrollment in school, and checkout from school for children in foster care;
2. Assists children in foster care when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records and grades.
3. When designated by the Superintendent, notifies a child in foster care's attorney and child welfare agency representative(s) of pending disciplinary proceedings and pending manifestation determination proceedings if they are also eligible to receive special education and related services under the IDEA.

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

- a. Caused, attempted to cause or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.

- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated paragraph(1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020. (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm. As used in this section “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
- q. Engaged in or attempted to engage in hazing. For purposes of this subdivision, “hazing” is any method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events
- r. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - i. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2,

48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 2. Causing a reasonable pupil to experience substantially detrimental effect on the pupil's physical or mental health.
 3. Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
 4. Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- ii. (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:
1. A message, text, sound, video, or image.
 2. A post on a social network Internet website, including but not limited to: a) Posting to or creating a burn page. "Burn page" means an Internet website created for the purpose of having one or more of the effects listed in paragraph (i); b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 3. An act of cyber sexual bullying. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1)-(4), inclusive of paragraph (i). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording, or other electronic act. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned events.
- (B) Notwithstanding paragraph (i) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.

- iii. “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- s. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
 - i. While on school grounds;
 - ii. While going to or coming from school;
 - iii. During the lunch period whether on or off the campus;
 - iii. During, or while going to or coming from, a school sponsored activity.
- t. A pupil who aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- u. As used in this section, “school property” includes, but is not limited to electronic files and databases.
- v. For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s misbehavior as specified in Section 48900.5.
- w. (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

EC § 48900.1 – Requirement for Parent to Attend School: A teacher may require a parent to attend school with their student for a portion of the school day if that child has been suspended for an obscene act, habitual profanity or disruption.

EC § 48900.2 – Sexual Harassment Policy: Sexual harassment, hate violence, and harassment, threats or intimidation of or by an employee or student shall not be tolerated. The governing board considers sexual harassment to be a major offense which can result in disciplinary action of the offending employee or suspension or expulsion of students.

EC § 48900.3 - Hate Violence: A pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, or threatened to cause, or participated in an act of, hate violence, as defined in EC 233(e). The school district shall notify parents and legal parents they may or will suspend a student.

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

EC § 48900.7 - Terroristic Threats Against School Officials, School Property or Both: A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. A “terroristic threat” includes any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

EC § 48901.1; 48900 – Suspensions: Willful Defiance

Prohibits the suspension of a student for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties for grades 4 and 5. Suspension for these acts is further prohibited for grades 6 to 8 through July 1, 2025. Recommendations for expulsion of a student for these acts remains prohibited for students enrolled in any grade.

EC § 48901.5 – Electronic Signaling Device: District policy regulating the rights of pupils to possess or use electronic signaling devices (e.g., cell phones and pagers) on school campuses during the school day or at school activities can be found online at www.muesd.net.

EC § 48902 – Notification to Law Enforcement: The principal or designee is required to report to appropriate law enforcement, prior to suspension or expulsion of a student for a violation of Penal Code § 245. Appropriate law enforcement must also be notified of any acts of a pupil that may involve the possession or sale of narcotics or of a controlled substance or violations of Penal Code §§626.9 or 626.10. The principal or designee is also required to report any acts specified in EC § 48915(c) (1) or (5) committed by a pupil or non-pupil on a school-site to appropriate law enforcement. Notification to law enforcement is required within one day of suspension or expulsion

for violations of EC § 48900 (c) or (d). Reporting meets the requirements of the Gun-Free Schools Act of 1994.

EC § 48904 – Liability of Parents and Guardians: Parents or guardians of a minor are liable for willful misconduct of a minor which results in injury or death of another person or destruction of school property. Parents are also liable for any school property loaned to the student and willfully not returned. Liability may be as much as \$10,000 in damages and, in addition a maximum of \$10,000 for payment of a reward, if any.

The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned, or until completion of a voluntary work program in lieu of payment of money.

EC § 48906 – Release of Student to Peace Officer: Upon release by a school official of your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent of guardian.

EC §48913.5 - Homework Assignments For Suspended Students: Upon request of a parent, a legal guardian, or other person holding the right to make educational decisions for the pupil, a teacher shall provide to a pupil in any of grades 1 to 12 who has been suspended from school or two or more schooldays the homework that the pupil would otherwise have been assigned. If a pupil turns in a homework assignment requested in the above manner to the teacher upon the pupil's return to school from suspension, or within the timeframe originally prescribe by the teacher (whichever is later), and it is not graded before the end of the academic term, then that assignment shall not be included in the calculation for that pupil's overall grade.

EC § 48980(c) – Staff Development Days and Minimum days: Parents shall be advised of (no later than one month prior to) any scheduled minimum days or student free staff development days. School district to provide copy of schedule of all minimum and pupil-free staff development days (e.g., your school calendar)

EC § 48980(h) – Attendance Options: Parents shall be annually notified of all attendance/enrollment options and residency requirements and any programmatic options applicable in the district.

EC § 48980(i) – Grade Reduction/Loss of Academic Credit: No student shall have his or her grades reduced or academic credit deducted for any absence(s) excused pursuant to Education Code § 48205 if missed assignments or tests that can reasonably be provided are satisfactorily completed within a reasonable period of time

EC § 48980(j) – Financial Assistance For Advanced Placement Fees: A school district may help pay for all or part of the costs of one or more advanced placement examinations charged to economically disadvantaged pupils.

Title I, Part A, § 1112(e) – Teacher Qualifications

The parents or guardian of all pupils shall be notified that they may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s).

EC § 44050 – Employee Interactions with Pupils

The MUESD to insert a copy of the section within its employee code of conduct regarding employee interactions with pupils. The notifications shall also provide the internet address where this information may be accessed by the parent or legal guardian online. www.muesd.net (Simbli) BP4219.21, E4219.21.

EC § 49010, et seq. – Pupil Fees: The district is required to establish policies concerning the provision of a free education to pupils. The district is also required to establish policies for filing a complaint of noncompliance under this section using the Uniform Complaint Procedures. Notice of the district's fee policies and complaint process shall be provided to pupils, parents, guardians, and employees on an annual basis.

EC § 49014 - Pupil Collection of Debt: A pupil or former pupil, unless emancipated at the time the debt is incurred, shall not owe or be billed for a debt owed to an LEA.

An LEA cannot take negative action against a pupil or former pupil for a debt owed, including, but not limited to, all of the following:

- Denying full credit for any assignments for a class;
- Denying full and equal participation in classroom activity;
- Denying access to on-campus educational facilities, including, but not limited to, the library;
- Denying or withholding grades or transcripts;
- Denying or withholding a diploma;
- Limiting or barring participation in an extracurricular activity, club, or sport; and
- Limiting or excluding from participation in an educational activity, field trip, or school ceremony.

EC 49381 – Pupil Safety: Human Trafficking Prevention Resources The governing board of a school district and the governing body of a charter school shall work to maintain from grades 6 to 12, inclusive, to identify the most appropriate methods of informing parents and guardians of pupils in those grades of human trafficking prevention resources and to implement the identified methods in those schools by January 1, 2020.

EC § 49063 et seq. – Family Educational Rights and Privacy Act (FERPA) – Student Records:

Federal and state laws grant certain rights of privacy and rights of access to students and to their parents. Full access to all personally identifiable written records maintained by the school district must be granted to:

1. Parents of student age 17 and younger.
2. Parents of students age 18 and older if the student is a dependent for tax purposes.

3. Students age 16 and older, students age 14 and over who are identified as both homeless and an unaccompanied youth, or students who are enrolled in an institution of post-secondary instruction (called “eligible students”).
4. Individuals who have completed and signed a Caregiver’s Authorization Affidavit.

A parent, guardian or eligible student may review individual records by making a request to the principal. A parent, guardian or eligible student may challenge the content of any student record. A written request must be filed with the superintendent to correct or remove any information which is alleged to be inaccurate, an unsubstantiated personal conclusion or inference, a conclusion or inference outside of the observer’s area of competence, not based on personal observation of a named person, misleading, or in violation of the privacy or other rights of the student. The superintendent or designee shall meet with the parent/guardian or eligible student and with the employee who recorded the information in question and shall sustain or deny the allegations. If the allegations are sustained, the information shall be ordered corrected, removed or destroyed. If the allegations are denied, the decision may be appealed in writing to the Board within thirty (30) days. The governing board shall meet in closed session with the parent/guardian or eligible student and with the employee who recorded the information in question and shall sustain or deny the allegations. If the board sustains the allegations, the information shall be ordered corrected, removed or destroyed. The decision of the Board shall be final. If the final decision of the board is unfavorable to the parent/guardian, or if the parent/guardian accepts an unfavorable decision by the superintendent, the parent/guardian shall have the right to submit a written statement of objections which shall become a part of the student’s record until such time as the information in question is corrected or removed.

Districts may release educational records, without obtaining prior written parental consent, to any school official or employee that has a legitimate educational interest in the educational record. Additionally, districts may also release information from pupil records to authorized representatives of the Comptroller General of the United States, the Secretary of Education, and administrative head of an education agency, state education officials, or their respective designees, or the United States Office of Civil Rights, where the information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, provided that except when collection of personally identifiable information is specifically authorized by federal law, data collected by those officials shall be protected in a manner that will not permit the personal identification of pupils or their parents by other than those officials, and personally identifiable data shall be destroyed when no longer needed for the audit, evaluation, and enforcement of federal legal requirements. School districts may also release information from pupil records to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if the studies are conducted in a manner that will not permit the personal identification of pupils or their parents by persons other than representatives of the organizations and the information will be destroyed when no longer needed for the purpose for which it is obtained.

Parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to types of records, kinds of information retained, persons responsible for records, directory information access by other persons, review, and to the challenge of records are available through the principal in each school. When a student moves to a new district, records will be forwarded upon the request of the new school district within ten days.

At the time of transfer the parent (or eligible student) may review, receive a copy (at a reasonable fee), and/or challenge the records.

If you believe the district is not in compliance with federal regulations regarding privacy, parents and eligible students may file a complaint with the U.S. Department of Education concerning alleged failures of the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

You have the right to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation a part of any applicable program.

EC § 49073 – Family Educational Rights and Privacy Act (FERPA) – Release of Directory Information:

- A. The district may release the following categories of information regarding any student or former student except that no directory information shall be released when a parent or eligible student has notified the school district that the following information is not to be released:
- Name and address
 - Telephone number
 - Major field of study
 - Participation in officially recognized activities and sports
 - Weight and height of members of athletic teams
 - Dates of attendance
 - Degrees and awards received
 - The public or private school most recently attended by the student
- B. No directory information will be released to private profit-making entities other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of students enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college. However, no such private school or college shall use that information for other than purposes directly related to the academic or professional goals of the institution. No directory information shall be released regarding any pupil if a parent has notified the school district that the information shall not be released. The district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of its student(s).
- C. Federal law requires that, upon request, the district provide the names, addresses and listed telephone numbers of secondary school students to United States military recruiters and institutions of higher learning. The district must release this information, unless a student or the

parent/guardian notifies the District in writing, within thirty (30) days of receiving this notification, that the District must not release this information without prior written consent.

EC § 49073.6 Pupil Records – Social Media: School districts that consider a program to gather or maintain in its records any information obtained from social media of any enrolled pupil shall notify pupils and their parents or guardians about the proposed program and provide an opportunity for public comment at a regularly scheduled public meeting of the governing board. For each school district that adopts such a program, the school district shall notify each parent or guardian of a pupil subject to the program that the pupil's information is being gathered from social media and the process for destroying such information within one year after the pupil turns 18 or within one year after the pupil is no longer enrolled in the school district, whichever occurs first.

EC § 49091.10 – Education Empowerment Act of 1998: The Education Empowerment Act of 1998 establishes various rights of parents or guardians, in addition to other rights identified in this Notice. Your rights, as a parent or guardian, and your child's rights, include the following

1. **Inspection of Instructional Materials:** You have the right to inspect all primary supplemental instructional materials and assessments, including textbooks, teacher's manuals, films, audio and video recordings, and software shall be compiled and stored by the classroom instructor and made available promptly for your inspection in a reasonable time frame or in accordance with procedures determined by the governing board of the district.
2. **Observation of School Activities:** You have the right to observe instruction and other school activities that involve your child in accordance with procedures determined by the governing board of the district to ensure the safety of students and school personnel and to prevent undue interference with instruction or harassment of school personnel. Reasonable accommodation of parents and guardians shall be considered by the governing board of the district. Upon written request by you, school officials shall arrange for your observation of the requested class or classes or activities in a reasonable time frame and in accordance with procedures determined by the governing board the district.
3. **Consent for Evaluations and Testing:** Your child may not be tested for a behavioral, mental, or emotional evaluation without your informed written consent.
4. **Affirmation or Disavowal of Benefits:** A student may not be compelled to affirm or disavow any particular personally or privately held world view, religious doctrine, or political opinion. This law does not relieve students of any obligation to complete regular classroom assignments.

EC § 49091.14 – Availability of Prospectus Each school site shall create a prospectus which includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be compiled at least once annually and shall be made available upon request by parent or guardian.

ED § 49392 – Safe Storage of Firearms: Commencing with the 2023-24 school year, and each school year thereafter, a local educational agency serving pupils in kindergarten or any of grades 1 to 12, inclusive, shall, informed by the model content developed by the department pursuant to

Section 49391, include in the annual notification pursuant to Section 48980, to the parents or guardians of pupils in kindergarten or any of grades 1 to 12, inclusive, information related to the safe storage of firearms. Parents and/or guardians may be subject to criminal penalties for storage of a firearm where a child gains access to that firearm.

EC § 49403 – Immunizations: Unless a pupil’s parent or legal guardian provides the school with an acceptable signed waiver, a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

The signed waiver to exempt a pupil from meeting immunization requirements, shall include a form prescribed by the State Department of Public Health signed by 1) the health care practitioner who provided information to the parent or legal guardian regarding benefits and risks of the immunization and the health risks of the communicable diseases; and 2) the parent or legal guardian, indicating that he or she received the information provided by the health care practitioner.

State law requires the following immunizations before a child may attend school:

1. All new students, in transitional kindergarten through grade 12, must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, rubella, and varicella (chickenpox) immunizations; and any other diseases deemed appropriate by the department.
2. All transitional kindergarten and kindergarten students must also provide proof of vaccination against hepatitis B.
3. All seventh-grade students must also provide proof of a second immunization for measles, mumps, rubella, and a pertussis booster vaccination. Commencing on July 1, 2011, the governing authority shall not unconditionally admit or advance any pupil to the 7th through 12th grade levels unless the pupil has been fully immunized against pertussis, including all pertussis boosters appropriate for the pupil’s age. (Health & Safety Code § 120365(d))

If there is good cause to believe that the student has been exposed to one of the communicable disease listed in Health & Safety Code § 120325, then the student may be temporarily excluded from the school until the local health officer is satisfied that student is no longer a risk of developing the disease. (Health & Safety Code § 120365).

EC § 49408 – Emergency Information: For the protection of your child’s health and welfare, we ask that you fill out and return the enclosed Emergency Information Card.

EC § 49414 – Emergency Treatment for Anaphylaxis: Requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors to school nurses and trained personnel and authorizes them to provide emergency medical aid to persons suffering or reasonably believed to be suffering from a life-threatening severe allergic reaction (anaphylaxis.) Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms

include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Recent changes to EC 49414 now require school districts to provide epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history.

EC § 49414.7 – Administration of Epilepsy Medication: If a pupil with epilepsy has been prescribed an emergency anti-seizure medication by his or her health care provider, the pupil’s parent or guardian may request the pupil’s school to have one or more of its employees received training in the administration of an emergency anti-seizure medication in the event that the pupil suffers a seizure when a nurse is not available.

EC § 49423 – Instructions for Medication: Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician, surgeon or physician assistant and a parental request for assistance in administering the physician, surgeon or physician assistant’s instructions. School policy requires that any student bringing medication to school shall have written instructions regarding its use and shall store the medication in the school office which may be administered by a designated employee. Any student may carry and self-administer prescription auto-injectable epinephrine only if the student submits a written statement of instructions from the physician or physician assistant and written parental consent authorizing the self-administration of medication, providing a release for the school nurse or other personnel to consult with the child's health care provider as questions arise, and releasing the district and personnel from civil liability if the child suffers any adverse reaction as a result of the self-administration of medication.

EC § 49423.1 – Self-Administration of Prescribed Asthma: School district may accept a written statement provided by a physician or surgeon permitting a student to self-administer asthma medication. The written statement shall detail the following:

- 1) The name, method, amount and time schedules by which the medication is to be taken
- 2) A confirmation that the student can self-administer inhaled asthma medication
- 3) A written statement from the parent, foster parent, or guardian consenting to the self-administration
- 4) A release for the school nurse or other designated school personnel to consult with the healthcare provider of the student regarding any questions that may arise about the medication
- 5) A release from civil liability for the school district and school personnel if the student suffers an adverse reaction by taking the medication

The statement from the student’s physician or surgeon may be one who is contracted with a prepaid health plan operating in Mexico, provided the statement is in both English and Spanish. A school nurse or other designated school personnel will be subject to professional review, liable in a civil action or subject to criminal prosecution for acts or omissions relating to the student self-administering the medication in accordance with physician’s written statement. Furthermore, a school district will not be subject to civil liabilities if the student suffers an adverse reaction self-administering the asthma medication in accordance with the written statement from the physician.

EC § 49428 - Access To Student Mental Health Services: The District shall notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both.

EC § 49451 – Physical Examination Exemption: A child is exempt from all physical examinations whenever the parent or guardian of a student annually files a written statement with the school principal stating the parent or guardian will not consent to routine physical examinations of their child. However, whenever there is good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child will be excluded from school attendance until the disease no longer exists or is no longer infectious or contagious.

EC § 49452 – Sight and Hearing Testing: The governing board of any school district shall provide for the testing of the sight and hearing of each student enrolled in the schools of the district unless the parent submits a written denial of consent.

EC § 49452.5 – Scoliosis Screening: The governing board of any school district may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis.

ED § 49452.6 – Type 1 Diabetes Information: Information provided by the California Department of Education relating to type 1 diabetes is available to parents and guardians at: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>

EC § 49452.8 – Oral Health Assessment: School districts must notify parents or guardians of the requirement that pupils enrolled in kindergarten, or in the first grade if not previously enrolled in kindergarten, present proof of having received an oral health assessment as specified or completion of a form provided by district on which the parent can indicate why an oral health assessment by a licensed dentist or other registered dental health professional assessment cannot be completed.

EC § 49455 – Vision Appraisal: Students who enroll for the first time in a school district shall receive a vision appraisal. The child shall have his/her vision reappraised at least every third year thereafter until completing the eighth grade. Parents wishing their child excused from this requirement shall notify the school principal and provide a certificate from a physician, surgeon, physician assistant or an optometrist setting out the results of a determination of the child's vision, including visual acuity and color vision. This requirement shall not apply to any child whose parents or guardian submits a written statement that they adhere to the faith or teaching 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.

EC § 49471 - Medical And Hospital Services For Pupils: The District does not provide medical or hospital services through non-profit membership corporations or insurance policies for pupil injuries arising out of school-related activities.

EC § 49472 – Medical/Hospital Services: The district may provide insurance or make available medical or hospital services for injuries to students arising from school programs or activities. No

student shall be compelled to accept such service without his/her consent or, if a minor, without the consent of a parent or guardian.

EC § 49475 - Concussion and Head Injuries: Each school district that offers an athletic program (apart from athletic activity during the regular school day or as part of a physical education course) must provide each student athlete's parent or guardian with a "concussion and head injury" information sheet. The sheet shall be signed and returned by the athlete's parent or guardian before the athlete may participate in practice or competition.

H&SC § 124235: Youth Athletics: Concussion Sudden Cardiac Arrest Prevention Protocols: Each youth sports organization shall follow specified protocols with respect to concussions and other head injuries. Any amateur sports competitions, trainings, camps, or clubs in which persons 17 years of age or younger participate must follow concussions and other injury protocols.

EC § 49480: Parents or guardians must inform the school if a child is on a **CONTINUING PROGRAM OF MEDICATION** as follows:

Special Student Medication – The parent or legal guardian of any public-school student on a continuing medical regimen for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. The superintendent of school district shall be responsible for informing parents of all students of the requirements of this section.

EC § 49510-49520; 49564-49564.5, 49557.5 - Pupil Nutrition: Free or reduced-priced meals are available for pupils in receipt of public assistance. The federal National School Lunch Program and the federal School Breakfast Program ensure that pupils whose parents or guardians have unpaid school meal fees are not shamed, treated differently, or served a meal different from the pupil's choice because of the fact that the pupil's parent or guardian has unpaid meal fees. Meal program details are provided at the pupil's school site. All parents and guardians receive a letter with the application form upon enrollment. To apply for free or reduced-price meals, households must fill out the application and return it to the school or IF APPLICABLE: Some schools operated by DISTRICT may provide breakfast and lunch to all students free of charge pursuant to a universal meal program. A list of the participating schools is available at www.muesd.net.

EC § 49701, 51225.1, 51225.2 - Children of Military Families And Other Protected Pupils: A pupil who is a "child of a military family" is defined as school-aged child or children, enrolled in kindergarten through twelfth grade, in the household of an active duty member. "Active duty" means full-time status in the active uniformed service of the United States, including member of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. sections 1209 and 1211.

Children of military families who transfer between schools any time after the completion of the pupil's second year of high school shall be exempt from all coursework and other graduation

requirements adopted by the governing board of the local educational agency that are in addition to the statewide coursework requirements, unless the local educational agency makes a finding that the child of a military family is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

Within 30 days of the child of a military family's transfer into a school, the local educational agency should determine whether the child of a military family is reasonably able to complete the local educational agency's graduation requirements within the pupil's fifth year of high school. If the pupil is reasonably able to complete the local educational agency's graduation requirements within a fifth year of high school, the local educational agency shall do all of the following:

1. Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency's graduation requirements.
2. Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.
3. Provide information to the pupil about transfer opportunities available through the California Community Colleges.
4. Permit the pupil to stay in school for a fifth year to complete the local educational agency's graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

Within 30 calendar days of the date that a pupil who is a child of a military family who may qualify for the exemption from local graduation requirements transfers into a school, the school district shall notify the pupil and the pupil's parent or guardian of the availability of the exemption and whether the pupil qualifies for an exemption.

If the District fails to provide timely notice, the pupil shall be eligible for the exemption from local graduation requirements, even if that notification occurs after the pupil no longer meets the definition of "a child of a military family."

If a child of a military family is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of his or her fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of his or her fourth year of high school, nor shall the child of a military family be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a child of a military family is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The

exemption shall apply after the pupil no longer meets the definition of “a child of a military family” while the pupil is enrolled in school or if the pupil transfers to another school or school district.

A school district shall not require and a parent or guardian shall not request a child of a military family to transfer schools solely to qualify the pupil for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a pupil who is a child of a military family while attending another public school (including schools operated by the United States Department of Defense), a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a child of a military family to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the child of a military family shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

The above protections shall also apply to pupils in foster care, pupils who are homeless, former juvenile court school pupils, migratory children, and pupils participating in a newcomer program, as defined in Education Code section 51225.2(a).

EC § 51101 - Rights of Parents Or Guardians To Information and Participation:

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

- Within a reasonable period of time following making the request, to observe the classroom or classrooms in which their child is enrolled or for the purpose of selecting the school in which

their child will attend pursuant to intra-district or inter-district pupil attendance policies or programs.

- Within a reasonable time of their request, to meet with their child's teacher or teachers and the principal of the school in which their child is enrolled.
- To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher.
- To be notified on a timely basis if their child is absent from school without permission.
- To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests.
- To request a particular school for their child, and to receive a response from the school district. This paragraph does not obligate the school district to grant the parent's request.
- To have a school environment for their child that is safe and supportive of learning.
- To examine the curriculum materials of the class or classes in which their child is enrolled.
- 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.
- To have access to the school records of their child.
- To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
- To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
- To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
- 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. In order to facilitate parental participation, school-site councils are encouraged to schedule a biannual open forum for the purpose of informing parents about current school issues and activities and answering parents' questions. The meetings should be scheduled on weekends, and prior notice should be provided to parents.
- To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
- To be notified, as early in the school year as practicable pursuant to EC 48070.5, 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 a decision to retain or promote their child. Parents and guardians of pupils, including those parents and guardians whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. Each governing board of a school district shall develop jointly with parents and guardians, and shall adopt, a policy that outlines the manner in which parents or guardians of pupils, school staff, and pupils may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of pupils at each school-site.
- The policy shall include, but is not necessarily limited to, the following:

1. The means by which the school and parents or guardians of pupils may help pupils to achieve academic and other standards of the school.
2. A description of the school's responsibility to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all pupils to meet the academic expectations of the school.
3. The manner in which the parents and guardians of pupils may support the learning environment of their children, including, but not limited to, the following:
 - a. Monitoring attendance of their children.
 - b. Ensuring that homework is completed and turned in on a timely basis.
 - c. Participation of the children in extracurricular activities.
 - d. Monitoring and regulating the television viewed by their children.
 - e. Working with their children at home in learning activities that extend learning in the classroom.
 - f. Volunteering in their children's classrooms, or for other activities at the school.
 - g. Participating, as appropriate, in decisions relating to the education of their own child or the total school program.

EC 51225.8 - Information About Completion Of Applications For Student Financial Aid: The governing board/body of school districts and charter schools must ensure that each student, at least once before the pupil enters grade 12, receives information on how to properly complete and submit either the Free Application for Federal Student Aid (FAFSA) or California Dream Act application. A paper copy of the FAFSA or the California Dream Act application must be provided to a pupil or parent/guardian upon request.

The information provided in the notice shall include, but not necessarily be limited to, the following materials:

1. The types of documentation and personal information that each student financial aid application requires, including, but not necessarily limited to, documents relating to income taxes, finances and income, college choices, academic status, and personal identification such as social security or taxpayer identification numbers
2. An explanation of definitions used for each application, such as “legal guardianship,” “household size,” “parent,” “dependent,” and taxable college grants and scholarships”
3. Eligibility requirements for student financial that may be applied for using the FAFSA or the California Dream Act Application
4. Application timelines and submission deadlines
5. The importance of submitting applications early, especially when student financial aid is awarded on a first-come, first-served basis

The manner in which this information is provided shall be at the discretion of the governing board of the school district or charter school.

EC § 51225.3, 51229 – College Admission Requirements and Higher Education Information: A handout containing college admission requirements and higher education information is available at the District Office. Additional information regarding student eligibility, admittance, and

attendance at post-secondary institutions can be found at the website: <https://www.ivmesaprogram.org/highschool101.html>. If a school district elects to allow a career technical education course to satisfy the visual/performing arts or world language graduation requirement, the school district shall provide information about the high school graduation requirements of the school district and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California, as well as a complete list of career technical education courses offered by the school district that satisfy the subject matter requirements for admission to the California State University and the University of California, and which of the specific college admission requirements these courses satisfy.

EC § 51240 – Conflicts with Religious Beliefs or Moral Convictions: Whenever any part of the instruction “health”, family life, or sex education conflicts with religious training and beliefs or personal moral convictions of the parent, the student shall be excused from that part of the instruction upon written parental request.

EC § 51512 - Electronic Listening or Recording Device: The school district may notify parents and guardians that the use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal of the school is prohibited. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation is subject to the school district’s disciplinary procedures.

EC § 51513 – Personal Beliefs Survey: Unless written parental permission is received, no student shall be given any test, questionnaire, survey, or examination containing any questions about your child’s or his/her parents’ or guardians’ personal beliefs or practices in sex, family life, morality, or religion. Parents will be given prior written notification. (Also refer to EC § 60614)

EC § 51930-51938 – Sexual Health and HIV/AIDS Prevention Education: Parents/guardians shall be notified of any comprehensive sexual health and HIV/AIDS prevention education planned for the coming year. Parents and guardians may request in writing that their students not receive comprehensive sexual health education or HIV/AIDS prevention education. The district may provide comprehensive sexual health education or HIV/AIDS prevention education to be performed by outside consultants, and the district may hold an assembly to deliver this education. If the district elects either of these methods, it must provide notice to parents that includes the date of instruction, the name of the organization or guest speaker, and information stating the right of the parent/guardian to request a copy of the relevant Education Code sections. If arrangement for this education is made after the school year has started, the district must provide notice by mail or other commonly used methods of notification no fewer than 14 days prior to the instruction.

Parents are required to be notified in writing prior to any instruction or class in which human reproductive organs and their function or processes are described, illustrated, or discussed. Materials to be used may be reviewed prior to instruction. Parents may request that his or her student not attend sex education courses.

Parent or guardians are advised as follows:

- (1) Written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection.
- (2) Whether the comprehensive sexual health education or HIV prevention education will be taught by school district personnel or by outside consultants. If arrangements for this instruction by consultants are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.
- (3) The parent has the right to request a copy of the California Healthy Youth Act Education Code section 51930, et. seq.
- (4) The parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education and that in order to excuse their child they must state their request in writing to the school district.

A school district may provide optional instruction, as part of comprehensive sexual health education and HIV prevention education, regarding the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cellular telephones, social networking Internet Web sites, computer networks, or other digital media.

District may administer for pupils in grades 7 to 12 inclusive, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex. Parents or guardians shall be notified in writing that this test, questionnaire, or survey is to be administered, and have a right to review the test, questionnaire, or survey if they wish, and may excuse their child from the test, questionnaire, or survey, if they send a request in writing to the school district or complete the opt-out form enclosed within this annual notification.

EC § 52173 - Bilingual Education: DISTRICT will notify the parents or guardians of pupils who will be enrolled in a bilingual education program. The notice will contain a simple description of the program, inform the parent or guardian they have the right and are encouraged to visit the class in which their pupil will be enrolled and to have a school conference to explain the purpose of such an education, and that they have the right not to have their pupil enrolled in the program. Notice shall be in English and the primary language of the pupil.

EC § 56043(n) - Special Education: Inspection of Records: Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student's records within five business days after a request is made and prior to any Individualized Education Program meeting, hearing or resolutions session regarding their child.

EC § 56301 – Child Find System: Each district, special education local plan area or county office of Education shall establish written policies and procedures for a continuous child-find system which addresses the relationships among identification, screening, referral, assessment, planning, implementation, review and the triennial assessment. The policies and procedures shall include

written notification of all parents of their rights under this chapter, and the procedure for initiating a referral for assessment to identify individuals with exceptional needs.

EC § 56300, 56301, 56302 & 56329 – Assessment for Special Education Needs: Parents have the right to initiate a referral in writing for assessment to identify students (ages 0-21 years) who may need assessment for special education services or accommodation under Section 504 of the Rehabilitation Act of 1973. If parents disagree with the results of the district’s assessment, they have a right to request an independent educational assessment at public expense from the district. Parents who disagree with the identification, placement, services or accommodations for the students may appeal through a hearing process.

If the school district observes your child in his or her classroom during an assessment, or if the school district would have been allowed to observe your child, an individual conducting an independent educational assessment must also be allowed to observe your child in the classroom. If the school district proposes a new school setting for your child and an independent educational assessment is being conducted, the independent assessor must be allowed to observe the proposed new setting.

If you unilaterally place your child in a nonpublic school and you propose the placement in the nonpublic school to be publicly financed, the school district must be given the opportunity to observe the proposed placement and your child in the proposed placement.

EC § 51225.2, 56365, 56366.1, 56366.4, 56366.10 – Special Education: Nonpublic, Nonsectarian Schools or Agencies:

NPSs/NPAs Training

The NPA or NPS is required to document the training of staff who will have contact or interaction with students during the school day in the use of evidence-based practices and interventions specific to the unique behavioral needs of the NPS’/NPA’s student population. The training must be provided within 30 days of enrollment for new staff, and annually to all staff who have contact with students during the school day. The training shall be selected and conducted by the NPS/NPA and must satisfy the following conditions:

1. Be conducted by persons licensed or certified in fields related to the evidence-based practices and interventions being taught
2. Be taught in a manner consistent with the development and implementation of individualized education programs; and
3. Be consistent with the requirements of Education Code relating to pupil restraint and seclusion

The content of the training shall include, but is not limited to, all the following:

1. Positive behavioral intervention and supports, including collection, analysis, and use of data to inform, plan and implement behavioral supports;
2. How to understand and address challenging behaviors, including evidence-based strategies for preventing those behaviors; and

3. Evidence-based interventions for reducing and replacing the challenging behaviors, including de-escalation techniques.

The LEA contracting with the NPS/NPA shall annually verify compliance with these training requirements and the NPS/NPA shall annually report to the California Department of Education (“CDE”) this verification. Written records of the annual training shall be maintained and provided upon request.

NPS/NPA Administrator Credential/License

The NPS/NPA is required to document (in the application for certification with CDE) that the administrator of the NPS/NPA holds or is in the process of obtaining one of the following:

1. An administrative credential granted by an accredited postsecondary education institution and two years of experience with students with disabilities;
2. A pupil personal services credential and authorizes school counseling or psychology;
3. A license as a clinical social worker issued by the Board of Behavioral Sciences;
4. A license in psychology regulated by the Board of Psychology;
5. A master’s degree issued by an accredited postsecondary institution in education, special education, psychology, counseling, behavioral analysis, social work, behavioral science, or rehabilitation;
6. A credential authorizing special education instruction and at least two years of experience teaching in special education before becoming an administrator;
7. A license as a marriage and family therapist certified by the Board of Behavioral Sciences
8. A license as an educational psychologist issued by the Board of Behavioral Sciences; or
9. A license as a professional clinical counselor issued by the Board of Behavioral Sciences

NPS/NPA Notification of Law Enforcement Involvement

A NPS/NPA is required to notify CDE and the LEA of any student involved incident at the NPS/NPA in which law enforcement was contacted. This notification shall be provided in writing no later than one business day after the incident occurred.

NPS/NPAs Qualified Individual to Implement a Behavioral Intervention Plan (“BIP”)

A NPS serving students with significant behavioral needs or who have a BIP must have an individual onsite during school hours who is qualified and responsible for the design, planning and implementation of behavioral interventions to be certified by CDE.

Requirements for LEA’s

For a NPS/NPA seeking initial certification, the LEA is required to verify that the plan and timeline for the new training requirements are included in the master contract. For NPS/NPA’s not in existence as of January 1 immediately preceding a school year, the LEA verify that the new training requirements are complied with 30 days following the commencement of the school year. The LEA is required to submit verification to the Superintendent at that time.

An LEA that enters into a master contract with a NPS/NPA school shall conduct, at minimum, the following:

1. An onsite visit to the NPS/NPA before placement of a pupil if the LEA does not have any pupils enrolled at the school at the time of placement
2. At least one onsite monitoring visit during each school year to the NPS/NPA at which the LEA has a pupil attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to:
 - a. A review of services provided to the pupil through the individual service agreement between the LEA and NPS/NPA;
 - b. A review of progress the pupil is making toward the goals set forth in the pupil's Individualized Education Program;
 - c. A review of progress the pupil is making toward the goals set forth in the pupil's BIP if the pupil has a BIP;
 - d. An observation of the pupil during instruction; and
 - e. A walkthrough of the facility
3. The LEA shall report the findings resulting from the monitoring visit to CDE within 60 days of the onsite visit. On or before June 30, 2020, CDE, shall, with input from special education local plan area administrators, create and publish criteria for reporting this information to the department.

EC § 56500.2 - Special Education: Complaints: Parents or guardians have a right to file a written complaint with the school if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to DISTRICT at the same time the party files the complaint with the California Department of Education. Procedures are available from your building principal.

EC § 56502 - Special Education: Due Process Hearings: The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. The model form for parents that wish to initiate due process hearings relating to special education rights is available at <https://www.dgs.ca.gov/OAH/Case-Types/Special-Education/Forms/Request-for-Mediation-and-Due-Process-Hearing-Form?search=due%20process>.

EC § 58501 – Notice of Alternative Schools: California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines an alternative school as a school or separate class group within a school which is operated in a manner designed to:

- a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b) Recognize that the best learning takes place when the student learns because of his/her own desire to learn.
- c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choice of learning projects.
- d) Maximize the opportunity for the teachers, parents and students to develop cooperatively the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- e) Maximize the opportunity for the students, teachers, and parents to react continuously to the changing world, including but not limited to the community in which the school is located.

In the event any parent, student, or teacher is interested in further information concerning alternative schools, the County Superintendent of Schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

EC § 52052, 60640 - California Assessment of Student Performance and Progress: The California Assessment of Student Performance and Progress ("CAASPP") System was established on June 1, 2014. The CAASPP System includes Smarter Balanced Summative assessments in English Language, Arts, and Math, in grades three through eight and eleven, and alternate assessments in English, Language Arts, and Math, in grades three through eight and eleven for students with significant cognitive disabilities. The CST for science is required for all students in grades five, eight, and once in high school, unless the student's IEP indicates administration of the CMA or CAPA. An optional standards-based test in Spanish for reading/language arts in grades two through eleven, for Spanish-speaking English learners who either receive instruction in their primary language or have been enrolled in a school in the United States for less than twelve months, may be administered at District discretion.

34 CFR §§ 200.36, 200.37, 200.38 – School Improvement: Parents and guardians shall be notified of schools identified for improvement and actions taken to improve schools.

40 CFR § 763.93 – Asbestos: A complete, updated management plan for asbestos-containing materials in school buildings is available on request by parents, teachers and employee organizations.

No Child Left Behind Act, 20 USC § 6311(h) (6) (A): Parents and guardians have the right to request and receive information regarding the professional qualifications of their children's classroom teachers. At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and

in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.
* NCLB has been superseded by the Every Student Succeeds Act (ESSA), regulations will be released later

No Child Left Behind Act, 20 USCA § 6311(h) (6) (B) – Level of Student Achievement: The district shall provide parents and guardians with information on the level of achievement of their children in each of the required state academic assessments and, if applicable, timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified. * NCLB has been superseded by the Every Student Succeeds Act (ESSA), regulations will be released later.

EC § 69432.9 - Cal Grant Program: The District shall notify all pupils enrolled in grade 11 that they will be deemed Cal Grant applicants, unless the pupil specifically opts out of such notification. A grade point average for each pupil shall be submitted electronically for all 11th grade pupils who have not opted out. The written notice shall be provided to all 11th grade pupils and, for a pupil under 18 years of age, his or her parent or guardian, by January 1st of the pupil's 11th grade year. The written notice shall specify the process for opting out within a period of time specified by the notice, which shall not be less than 30 days. The notice shall also indicate when the school will send grade point averages to the commission.

20 USC § 7012 (a) – English Learners: The district will notify parents and guardians of limited English proficient students no later than thirty (30) days after the beginning of the school year of the following information:

1. The reason for identification of the student as limited English proficient.
2. The level of the student's English proficiency, how the student was assessed and the status of the student's academic achievement.
3. Methods of instruction used in all of the available programs for limited English proficient.
4. How the program the student participates in will meet the needs of the student.
5. How the program will help the student learn English and meet academic achievement standards.
6. The exit requirements for the program and the expected rate of graduation from secondary school for such program.
7. In the case of a student with a disability, how the program meets the objectives of the IEP.
8. The rights of parents and guardians to opt out of language instruction programs or to choose another program. (EC § 440)

The Protection of Pupil Rights Amendment (PPRA), 20 USC § 1232h – Conduct of Surveys:

The federal PPRA affords parents/guardians and eligible students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent: Parents and eligible students have the right to consent before students are required to submit to a survey that concerns one or more of the following protected area (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:

1. Political affiliations or beliefs of student or student’s parents;
2. Mental and psychological problems of the student or his/her family;
3. Sex behavior and attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations or beliefs of the student or parents; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

EC § 51513 – Written Parent Consent

Written parent consent is required prior to their students participating in a survey, test, questionnaire, or examination regarding the pupil’s or the pupil’s family’s beliefs, morality, and similar issues

Notice: Parents and eligible students have the right to receive notice and an opportunity to opt a student out of the following:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the District, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening required under State law (see the notice provide above requiring physical examinations and screening under Education Code §§ 49403, 49451, 49452, 49452.5 and 49455); and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others (see the notice provided above under EC § 490730).

Inspection: Parents and eligible students have the right to inspect upon request and before administration or use the following:

1. Protected information survey of students
2. Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes (see the notice provided above under EC § 49073); and
3. Instructional materials used as part of the educational curriculum (see the notice provided above under EC § 49091.10 and the Education Empowerment Act of 1998).

With the exception of protected information surveys, the district has adopted policies regarding these rights. (See the notices provided above under EC §§ 49073, 49091.10, 49451, 49452, 49452.5 and 49455, and the Education Empowerment Act of 1998). In consultation with parents, the district will develop a policy regarding protected information surveys and will provide annual notice of such policy to parents and eligible students.

The district is also required to notify parents and students at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

1. Collection, disclosure or use of personal information for marketing, sales or other distribution;
2. Administration of any protected information survey not funded in whole or part by the U.S. Department of Education; and
3. Any non-emergency, invasive physical examination or screening as described above.

5 CCR § 300 – Student Responsibilities: Students are required to conform to school regulations, attend school punctually and regularly, obey all directions, be diligent in study and respectful of teachers and others in authority, kind and courteous to schoolmates, and refrain entirely from the use of profane and vulgar language.

5 CCR § 4622 – Uniform Complaint Procedure: The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations. The District shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees for participation in an educational activity and LCAP and seek to resolve those complaints in accordance with the Uniform Complaint Procedures.

Any individual, public agency or organization may file a written complaint with our district superintendent or his or her designee alleging a matter which, if true, would constitute a violation by our LEA of federal or state law or regulation governing a program. A pupil fees complaint may be filed with the principal of a school.

Programs and activities that are implemented by our district and subject to the UCP in which we receive state or federal funding:

- Adult Education
- After School Education and Safety
- Career Technical Education
- Child Care and Development Programs including state preschool
- Consolidated Categorical Programs
- Discrimination, Harassment, Intimidation, and Bullying
- Foster and Homeless Youth
- Local Control Funding Formula and Local Control Accountability Plans
- Migrant Education

- NCLB Titles I-VII
- Nutrition Services - USDA Civil Rights
- Regional Occupational Centers and Programs
- School Facilities
- Special Education
- Tobacco-Use Prevention Education Program
- Unlawful Pupil Fees

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse shall be referred to the Imperial County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
2. Health and safety complaints regarding a Child Development Program shall be referred to the Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
3. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Department of Fair Employment and Housing (DFEH).
4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.
4. A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils,

with specific activities to address state and local priorities identified pursuant to Education Code Section 52060(d).

Complaints may be filed with the Superintendent's office or his/her designee. Upon receipt of a complaint, an investigation of the allegation shall be carried out and completed within 60 calendar days by the appropriate administrator. This time period may be extended with written agreement of the complainant. A written statement regarding the investigation shall be provided to the complainant within 60 calendar days from the receipt of the complaint. This statement shall include findings, disposition of complaint, collective actions, and rationale for the disposition.

The complainant shall be advised of his/her right to appeal the local decision of complaints regarding specific programs, Pupil Fees and the Local Control and Accountability Plan (LCAP) to the California Department of Education by filing a written appeal within 15 days of receiving the LEA decision. The complainant will be provided with information regarding the procedures for filing an appeal and the applicable timelines.

Civil law remedies including, but not limited to, injunctions, restraining orders, or other remedies or orders may also be available to victims of discrimination, harassment, intimidation or bullying laws, if applicable.

The Superintendent/Designee/School Principal upon request will provide a copy of the applicable district complaint policies and procedures free of charge.

5 CCR § 11523 - California High School Proficiency Exam: The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <https://www.chspe.net>.

5 CCR § 11993(k); 20 U.S.C. 7912 - Unsafe School Choice: Students shall be allowed to attend a safe school. DISTRICT shall notify parents or guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school. "Any firearms violations" is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

Title VI of the Civil Rights Act of 1964; Non-Discrimination: For all aspects of educational programs and activities, the school district requires non-discrimination on the basis of race, color, national origin, sex, disability or any other unlawful consideration. Lack of English language acquisition will not be a barrier to admission and participation. The Governing Board are committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, nationality, national origin, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability,

sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics

Education Amendments of 1972, Title IX; Non-Discrimination:

The district has a policy of nondiscrimination on the basis of sex. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports, in accordance with federal law. A complaint may be filed with the Superintendent's office. Questions regarding Title IX may be referred to the school's Title IX coordinator or the Office of Civil Rights.

MUESD Title IX coordinator:

Superintendent or designee
701 W. McCabe Road, El Centro, CA 92243
(760) 335-5200

Welfare & Institutions Code § 18976.5 - Child Abuse Prevention: Parents may refuse to allow their children to participate in any child abuse primary prevention program which may be provided by the district.

Driver Training – Excerpt from the 1969 Vehicle Code of the State of California

17707: Any civil liability of a minor arising out of his driving a motor vehicle upon a highway during his minority is hereby imposed upon the person who signed and verified the application of the minor for a license and the person shall be jointly and severally liable with the minor for any damages proximately resulting from the negligent or wrongful act or omission of the minor in driving a motor vehicle, except that an employer signing the application shall be subject to the provisions of this section only if an unrestricted driver's license has been issued to the minor pursuant to the employer's written authorization.

17708: Any civil liability of a minor, whether licensed or not under this code, arising out of his driving a motor vehicle upon a highway with the express or implied permission of the parents of the person or guardian having custody of the minor is hereby imposed upon the parents, person, or guardian and the parents, person or guardian shall be jointly and severally liable with the minor for any damages proximately resulting from the negligent or wrongful act or omission of the minor in driving a motor vehicle.

17709: (a) No person, or group of persons collectively, shall incur liability for a minor's negligent or wrongful act or omission under Sections 17707 and 17708 in any amount exceeding fifteen thousand dollars (\$15,000) for injury to or death of one person as a result of any one accident or, subject to the limit as to one person, exceeding thirty thousand dollars (\$30,000) for injury to or death of all persons as a result of any one accident or exceeding five thousand dollars (\$5,000) for damage to property of others as a result of any one accident.

(b) No person is liable under Section 17707 or 17708 for damages imposed for the sake of example and by way of punishing the minor. Nothing in this subdivision makes any person immune

from liability for damages imposed for the sake of example and by way of punishing him for his own wrongful conduct.

21212: The District requests that parents or guardians of children who walk or ride their bike to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. Furthermore, a student under 18 years of age may be fined for not wearing a properly fitted and fastened helmet, and the parent or legal guardian of a minor who violates this section shall be jointly and severally liable with the minor for the fine.

Rehabilitation Act of 1973 (Section 504) - Equal Opportunity: The district is committed to equal opportunity for all individuals in education. Our district programs and activities shall be free from discrimination based on sex, race, color, religion, national origin, lack of English skills, ethnic group, marital or parental status, physical or mental disability or any other unlawful consideration. The district shall promote programs which ensure that these discriminatory practices are eliminated in all district activities. Disability harassment is also prohibited. This is intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services or opportunities in a district program.

At any District school, activity or program, all acts of unlawful discrimination are prohibited, including discriminatory harassment, intimidation, retaliation and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA, formerly known as EHA). The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. (EC § 260, et seq.)

If you wish further details, or wish to file a complaint, please contact the superintendent's office or other appropriate agency.

Health & Safety Code § 11357 – Drug Possession: Except as authorized by law, a person possessing any amount of concentrated cannabis or specified amounts of marijuana on school grounds or at a school function may be subject to fine and/or imprisonment.

Health & Safety Code §104420, 104495 - Tobacco-Free Campus: DISTRICT receives Tobacco Use Prevention funding to adopt and enforce a tobacco-free campus policy. Information about smoking cessation support programs are available and encouraged for pupils and staff. Health and Safety Code section 104495 prohibits smoking and use of any tobacco-related products and disposal

of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

Health & Safety Code § 120440 – Medical Record Sharing: If a school district plans to provide pupils' medical records to an immunization system it must inform the pupil or his/her parents or guardians of the following:

1. Medical information may be shared with local health departments and the State Department of Public Health;
2. Name and address of the State Department of Health or immunization registry with which the school will share the information;
3. Any information shared shall be treated as confidential medical information;
4. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and
5. The student or parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.

Health & Safety Code § 124085, 124105 - Child Health And Disabilities Prevention Program:

Before a child enters first grade, his or her parents must obtain a waiver or health screening for the child and complete the provided certificate or sign a waiver. The screening should take place before (within the prior 6 months) or during the kindergarten year. Parents are encouraged to obtain health screening simultaneously with required immunizations. Parents may inquire in the school office about free health screenings for low-income children provided under the Child Health and Disabilities Prevention Program.

Penal Code § 290 - Megan's Law: Information about registered sex offenders in California and how to protect their families can be found at <https://meganslaw.ca.gov>.

Penal Code § 290.4 – Sex Offender Information: Information regarding the identification of serious sex offenders may be accessed by the public. The District does not disseminate this information. However, anyone at least 18 years of age may procure this information if they have the name of the individual and ONE of the following: address, birth date, driver's license or social security number. You may receive information from your local law enforcement agency or view the Attorney General's Home Page: <https://oag.ca.gov>.

Penal Code § 417.27- Dangerous Objects: DISTRICT prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school related purpose.

Penal Code § 11165, et seq. – Mandated Reporting of Child Abuse and Neglect: In accordance with Penal code § 11165, et seq., all regular employees of the district are mandated reporters of child abuse and neglect. All such employees must report any known or suspected instance of child abuse to appropriate authorities.

20 U.S.C. 1232(g), EC §§ 49063, 49068, 49069, 49073 - Marketing: Disclosure Of Student Information:

DISTRICT makes student directory information available in accordance with state and federal laws. This means that each student's name, birthday, address, telephone number, major course of study, participation in school activities, dates of attendance, awards, and the previous school attendance may be released to agencies such as the local PTA or Parent Club, or the military services. If you do not wish this information released, please go to www.muesd.net and sign and return the attached form provided for this purpose to the county office program.

Federal and State laws grant certain rights of privacy and right of access to pupil records to students and to their parents. School districts must inform parents, pupils 18 and over, pupils 14 and over that are identified as both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver's Authorization Affidavit of their rights concerning pupil records under Section 49063 at least annually and upon initial enrollment.

The annual notice shall inform parents, or an eligible student, of:

- 1) The types of records and the information contained therein which are directly related to the student and maintained by the institution;
- 2) Their right to review individual records by making a written request for the same;
- 3) The school district must respond to a pupil record request by providing access no later than five business days following the date of request;
- 4) Availability of qualified personnel to interpret records, if requested;
- 5) Procedures for challenging content of pupil records;
- 6) In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page;
- 7) District policies and procedures relating to: location of records, if not centrally located; position of official responsible for maintenance of records; access by other persons; policy for review and expunging of records;
- 8) Categories of information designated as directory information pursuant to Section 49073;
- 9) When a student moves to a new district, records will be forwarded upon the request of the new school district within 10 school days. At the time of transfer the parent (or eligible student) may review, receive a copy (at a reasonable fee), and/or challenge the records; and;
- 10) Their right to file a complaint with the Family Policy Compliance Office in the U.S. Department of Education if they believe the school district is not in compliance with federal regulations regarding privacy.

34 U.S.C. 108.6 The Boy Scouts of America Equal Access Act: The Act requires public schools to provide equal access to the use of school property to the Boy Scouts and other designated youth groups.

42 U.S.C. 6106 *et seq.* The Age Discrimination Act: The Act prohibits discrimination in programs or activities receiving federal and/or state financial assistance.

42 U.S.C. 11432 – Children in Homeless Situations: Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. The notice shall include:

1. Liaison contact information;
2. Circumstances for eligibility;
3. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers;
4. Right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for school meal programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment;
5. That no homeless youth shall be required to attend a separate school for homeless children or youth; and
6. That homeless youth shall not be stigmatized by school personnel

Custody Issues: School districts may advise parents that the school is not a forum to settle custody disputes and the school has no legal jurisdiction to refuse a biological parent access to his or her child and the child's school records with the exception of when a signed restraining order or proper divorce papers specifically setting forth limitations are on file at the school office. Custody disputes must be handled by the courts.

W&IC §§ 4900; 4902; 4903 – Protection and Advocacy Agency: Protection and advocacy agency have access to investigate and advocate for the rights of persons with developmental and mental health disabilities. Following a complaint or report of alleged abuse and a finding of probable cause, the agency is entitled to investigate and must be provided reasonable access to the facility. This includes the opportunity to interview any individual with a disability, employee, or other person with knowledge of the alleged abuse. The agency is entitled to monitor a facility's, program's, or service providers compliance with the rights and safety of individuals with disabilities. The school district is required to provide the agency with the name and contact information for the parent or guardian of a student and the agency has authority to access, inspect, and copy the student's records.

NOTIFICACION ANUAL PARA PADRES 2023-2024

INFORMACION SOBRE LOS DERECHOS DE LOS ALUMNOS Y DE LOS PADRES/TUTORES

Redacción Literal Disponible

El Código de Educación de California requiere que se proporcione a los padres y tutores de alumnos menores de edad la información referente a los derechos de los alumnos a ciertas actividades. Se puede solicitar más información respecto a cualquier sección del Código de Educación y de la redacción literal de cualquier administrador de la escuela.

Por favor lea cuidadosamente los derechos y las responsabilidades a continuación. Después de que usted haya hecho así, por favor firme y regrese la certificación adjunta a la escuela de su hijo/a la cual indica que usted ha recibido y repasado esta información. (EC § 48982) Conforme a la solicitud de los padres, la notificación anual para padres será provista en forma electrónica. Si la notificación es provista en forma electrónica, el padre o tutor deberá presentar un reconocimiento firmado que recibió esta notificación.

EC § 215- Pólizas de Prevención de Suicidio del Alumno: Antes del inicio del año escolar 2020-21, la mesa gobernante o el cuerpo de la agencia educacional local que sirve a los alumnos en grados 1 al 6 adoptara una póliza en la prevención de suicidio del alumno para los grados anteriormente mencionados. La póliza de edad apropiada será desarrollada en consulta con la escuela y partes interesadas de la comunidad, el plan de la salud mental del condado, los profesionales de salud mental empleados por la escuela, y expertos en prevención de suicidio. La póliza también será, en lo mínimo, presentará procedimientos relacionados con la prevención del suicidio, intervención y postvención.

EC § 220 – Discriminación: La Oficina de Educación del Condado Imperial prohíbe la discriminación, el hostigamiento, la intimidación, y el acoso basado en la ascendencia actual o percibida, la edad, el color, la discapacidad, el estado marital o de paternidad, el género, la identidad del género, la expresión del género, la nacionalidad, la raza o etnicidad, la religión, el sexo (acoso sexual), orientación sexual, o asociación con una persona o grupo con una o más de estas características actuales o percibidas. Quejas pueden presentarse con el superintendente bajo el procedimiento de presentación de quejas del distrito.

EC § 221.5 – Plan de Cursos, Consejería: A los alumnos se les proporcionan servicios de asesoría profesional e información respecto a carreras. Los cursos académicos y electivos son conducidos sin importar el sexo de los alumnos matriculados en dichos cursos. Se dará notificación a los padres o tutores de alumnos por adelantado sobre cualquier asesoría profesional para invitarlos a que participen en estas sesiones de asesoría.

EC § 221.5 (d)- Igualdad sexual en orientación profesional y selección de cursos: Iniciando desde el séptimo grado, el personal docente auxiliara a los alumnos en la selección de cursos o en orientación profesional, explorando afirmativamente la posibilidad de carreras o cursos que los dirijan a carreras basadas en el interés y habilidad del alumno y no basado en el género sexual. Los padres o tutores legales serán notificados para que ellos puedan participar en tales orientaciones y decisiones.

EC § 230 – Estado de Paternidad, Marital: La Mesa Directiva reconoce que un matrimonio temprano; embarazo o paternidad puede interrumpir la educación del alumno y aumentar las posibilidades de que el alumno abandone los estudios. La Mesa, por lo tanto, desea dar apoyo a los alumnos que estén casados, embarazadas, y

que estén dando crianza, para que continúen su educación, obtengan habilidades académicas y de paternidad fuertes, y promover un desarrollo saludable de sus hijos.

El distrito no discriminará contra ningún alumno basado en el estado marital, embarazo, alumbramiento, preñez falsa, terminación de embarazo, o recuperación relacionada. Las quejas pueden presentarse con el superintendente bajo el procedimiento de presentación de quejas del distrito.

EC § 231.5 – Política de Hostigamiento Sexual: El distrito tiene una política escrita respecto al hostigamiento sexual. Esta política es parte de cualquier orientación de alumnos provista a los nuevos alumnos, está incluida con las notificaciones obligatorias a los padres, se coloca a vista del público, y se distribuye a todos los empleados. La Mesa Directiva está comprometida a mantener un ambiente escolar seguro que esté libre de hostigamiento y discriminación. La Mesa prohíbe hostigamiento sexual de los alumnos en la escuela o en actividades patrocinadas o relacionadas a la escuela. La Mesa también prohíbe comportamiento de represalia o acción en contra de cualquier persona que da informe, presenta una queja o testifica en cuanto, o de alguna otra manera apoya a un denunciante en alegación de acoso sexual.

Para procedimientos y como reportar un acoso sexual, porfavor contactar:

Superintendente o designado
701 W. McCabe Road, El Centro, CA 92243
(760) 335-5200

EC § 234, 234.1 La ley de un Lugar Seguro para Aprender: El distrito ha adoptado pólizas relacionadas con lo siguiente:

- Prohibición de discriminación y acoso basado en características enunciadas en EC § 220 y Código Penal 422.55;
- Proceso del recibimiento e investigaciones de quejas de discriminación y acoso.
- La conservación de documentos de quejas y resoluciones.
- Proceso para asegurar que las quejas sean protegidas de represalias y de la identidad del acusador es confidencial si es apropiado y
- Identificación del responsable de la agencia local para asegurar su cumplimiento.

Las pólizas y el proceso del distrito escolar para presentar una queja están disponibles para los estudiantes, padres, empleados y agentes de la mesa directiva. El aviso estará en ingles y en el idioma principal si el 15 por ciento o mas de los alumnos matriculados en una escuela publica que brinda instrucción en el jardín de infantes o en cualquiera de los grados 1 al 12 inclusive, hablan un idioma primario siempre que no sea el ingles según lo determinado por el censo de datos. Las políticas contra la discriminación y el acoso también se publicarán en las escuelas.

EC § 234.2 – Acoso Sexual Cibernético: Los distritos pueden suspender o expulsar a los estudiantes que se involucren en acoso sexual cibernético consistente con los procedimientos disciplinarios del distrito.

EC § 234.6 Información Preventiva Acerca de la Intimidación y Acoso: Empezando con el año escolar 2020-21, cada oficina de educación del condado, distrito escolar, y escuela chárter – o LEA (“agencia educación local”) para propósito de esta sección – asegurara que toda la información siguiente este prontamente accesible en una localidad prominente en la agencia educacional local de la existente página web en una manera que es fácilmente accesible para los padres y guardianes y alumnos:

1. La póliza de la LEA (agencia educacional local) de la prevención de suicidio en los alumnos en los grados 7 al 12.
2. La póliza de la LEA (agencia educacional local) de la prevención de suicidio en los grados 1 al 6, incluyendo referencia de la edad apropiada de esta póliza.
3. La definición de discriminación y acoso basado en el sexo, y los derechos derivados de la ley educacional de igualdad sexual.
4. La información de Título IX incluido en un sitio Web de la LEA en el Internet, que también incluye los materiales de capacitación del Distrito
5. Un enlace electrónico a la información del Título IX incluido en el Internet en la página web del departamento.
6. La póliza por escrito de la LEA acerca del acoso sexual, en cuanto a lo que se relaciona a los alumnos.
7. La póliza de la LEA, si existe en cuanto a prevenir y responder a violencia de odio.
8. Las pólizas de la LEA de antidiscriminación, anti-acoso, anti-intimidación, y anti-tiranización.
9. Los procedimientos de la LEA de anti-acoso cibernético.
10. Una sección en el acoso en los medios de comunicación social que incluye todas las siguientes referencias de posibles foros de acoso en los medios de comunicación social:
 - a) Sitios web en el Internet con registración gratis y de fácil registración.
 - b) Sitios de web en el Internet de mensajes instantes de compañero a compañero.
 - c) Sitios de web en el Internet en los cuales hay secciones o foros para comentarios.
 - d) Sitios de web en el Internet en las cuales se ofrecen plataformas para publicar una imagen o video
11. Un enlace electrónico para recursos estatales, incluyendo organizaciones con base comunitaria, recaudadas por el departamento.
12. Cualquier otra información adicional que la LEA considera importante para prevenir la intimidación y acoso.

EC § 234.7- Equidad educacional independientemente de estatus migratorio, ciudadanía, o religión: Los niños tienen derecho a una educación gratuita, independientemente de su estatus migratorio, o creencias religiosas. Para inscribir a su niño/a, las escuelas aceptan una variedad de documentos de los padres de los estudiantes para verificar la edad y residencia del niño (a). Ninguna información acerca de estatus de ciudadanía o migratorio, tampoco el número del seguro social es requerido para registrarse en la escuela. Los padres tienen la opción de proveer a la escuela con información de contactos de emergencia, inclusive la información de contactos secundarios para identificar a un guardián adulto de confianza que pueda cuidar por el menor en caso de que los padres sean detenidos o deportados. Los padres tienen la opción de llenar la declaración jurada de autorización del cuidador o la petición de asignatura temporal de guardián de la persona, que puede habilitar a un adulto de confianza la autoridad de hacer decisiones educacionales y médicas para los menores. Los estudiantes tienen derecho de reportar crimen de odio o presentar una queja al distrito escolar si son discriminados, intimidados, o acosados en base a su actual o percibida nacionalidad, etnicidad, o estatus migratorio. El procurador general del estado de California provee en el sitio web “conozca sus derechos” recursos para los estudiantes inmigrantes y para los miembros de sus familias en línea de internet: <https://oag.ca.gov/immigrant/ca-law>.

EC § 17612, 48980.3 - Pesticidas: Se requiere que el distrito proporcione a los padres el nombre de todos los productos de pesticidas que se espera que sean aplicados en las instalaciones de la escuela durante el próximo año escolar. Tal aviso será proporcionado a principios del primer semestre e incluirá la identificación de los ingredientes activos en cada pesticida, y la dirección del sitio de Internet usado para tener acceso a la información sobre los pesticidas desarrollados por el Departamento de regulación del Pesticida. Los padres y tutores tienen el

derecho de registrarse con el distrito si desean recibir una notificación previa de los usos individuales del pesticida en un plantel particular de la escuela.

EC § 32210 Perturbación en Escuela Pública o Reunión Pública: Los distritos escolares pueden informar a padres o tutores que cualquier persona que intencionalmente perturbe cualquier escuela pública o reunión escolar pública es culpable de delito menor y será castigado con una multa de no más de quinientos dólares (\$500).

EC § 32221.5 Seguro de alumnos para equipos deportivos: Según la ley estatal, los distritos escolares están obligados a garantizar que todos los miembros de los equipos deportivos escolares tengan un seguro contra lesiones accidentales que cubra los gastos médicos y hospitalarios. El distrito escolar puede cumplir con este requisito de seguro y ofrecer un seguro u otros beneficios de salud que cubran los gastos médicos y hospitalarios.

Algunos alumnos pueden calificar para inscribirse en el programa de no-costos o bajo-costos local, estatal, o federalmente patrocinado de seguro de salud. Información sobre estos programas se puede obtener al llamar al (760) 335-5200 o en la página web de McCabe: www.muesd.net

EC § 32255 et seq. – Uso de Animales: Un alumno puede seleccionar “un proyecto educativo alternativo” en vez de participar en el uso dañino o destructivo de animales. Para abstenerse de participar, un padre o tutor debe presentar una nota escrita de las objeciones a participar en un proyecto educativo que involucre el uso dañino o destructivo de animales. Se proporciona un formulario de exclusión voluntaria con este aviso.

EC § 32280 et seq. - Plan Comprensivo de Seguridad Escolar: Cada escuela tiene un plan de seguridad adoptado que incluye políticas contra la discriminación y el acoso. Los planes de seguridad están disponibles a pedido en cada sitio escolar.

EC § 32390 – Programa de Huellas Digitales: Los distritos escolares están autorizados en ofrecer programas de huellas digitales para niños registrados en kinder o nuevos estudiantes registrados en el distrito escolar. Si el distrito ha adoptado tal programa, usted será notificado acerca del proceso, cuota aplicable y su derecho de declinar la participación de su niño en registro inicial.

EC § 35178.4 – Acreditación Escolar: El distrito es requerido de notificar a cada uno de los padres y guardianes de sus alumnos si la escuela ha perdido su acreditación y las consecuencias potenciales de tal pérdida de estatus, por escrito y se publicará tal información en página Web del Internet del distrito escolar y de la escuela o por una combinación de estos métodos.

EC § 35182.5 – Productos Electrónicos o Servicios que Diseminan Publicidad: Si el distrito entra en un contrato de productos y servicios electrónicos que requiere la diseminación de publicidad de estudiantes, el distrito debe proveer notificación por escrito a los padres o guardianes de los estudiantes que la publicidad será usada en el salón de clase u otros centros de aprendizaje.

EC § 35183 – Código de Vestuario: El distrito está autorizado para adoptar un código de vestuario que prohíba el uso del vestuario relacionado con “pandillas”. El distrito también está autorizado para adoptar una política del Código de Vestuario que requiera a los alumnos usar un uniforme escolar. Se dará un aviso a los padres acerca de la adopción de un código de vestuario del distrito o si se requerirán uniformes por lo menos seis meses antes de

dicha adopción junto con el aviso de la disponibilidad de recursos para ayudar a los alumnos con desventajas económicas.

EC § 35186 – Proceso de la Póliza de Quejas William: Requiere que los distritos escolares usen un proceso de quejas uniforme modificado para ayudar a identificar y resolver deficiencias relacionadas con materiales de instrucción, las condiciones de instalaciones urgentes o de emergencia que plantean una amenaza a la salud y seguridad de los alumnos o el personal, vacancia de maestro o mala asignación, instrucción intensiva y servicios proveídos a los alumnos que no han pasado una o ambas de los exámenes de la preparatoria después del doceavo (12) grado. Notificación del proceso de quejas y la localidad en el cual pueden obtener una forma de quejas será publicada en los salones de clases. Las quejas pueden ser sometidas anónimamente.

EC § 35256 – Boleta de Informe Escolar: Una copia de la Boleta de Informe Escolar Anual será proporcionada al ser solicitada, el día primero de febrero o antes de cada año escolar. Se recomienda encarecidamente al distrito escolar que incluya el informe escolar anual con el Aviso anual.

EC § 35291 – Disciplina de Alumnos: El reglamento relativo a la disciplina de alumnos, incluyendo el que gobierna la suspensión o la expulsión, está disponible con el director del edificio. Este reglamento también se les comunica a todos los alumnos cada año.

EC § 39831.5 – Autobús Escolar y Seguridad de Pasajeros: Se requiere que los distritos escolares provean reglamento para la seguridad en el autobús a todos los nuevos alumnos en prekínder, kínder y en primero hasta sexto grado inclusive, quienes no hayan sido previamente transportados por el autobús escolar. El reglamento para seguridad en el autobús deberá incluir: una lista de las paradas del autobús escolar cerca del hogar de cada alumno, el reglamento general de la conducta en las zonas de subida del autobús escolar, instrucciones para cruce de luces rojas, zona de peligro del autobús escolar, y el caminar hacia y desde las paradas del autobús escolar.

EC § 44807: Responsabilidades acerca de la conducta del alumno: Cada maestro tiene el deber de responsabilizar a los alumnos por su conducta en el camino hacia y desde la escuela, en el patio de recreo o durante el recreo. Un maestro, subdirector, director o cualquier otro empleado certificado de un distrito escolar, no estará sujeto a persecución penal ni sanciones penales por el ejercicio, durante el desempeño de sus funciones, del mismo grado o control físico sobre un alumno que un padre tendría el privilegio legal de ejercer pero que en ningún caso excederá la cantidad de control físico razonablemente necesario para mantener el orden, proteger la propiedad o proteger la salud y la seguridad de los alumnos, o mantener las condiciones adecuadas y apropiadas conducente al aprendizaje.

EC § 44810 – Interferencia de los Padre con la Conducta en el Salón de Clases: Está prohibido que cualquier persona mayor de 16 años de edad, incluyendo, pero no limitado al padre/madre o tutor de un alumno, entre a la propiedad escolar e interfiera deliberadamente, con la disciplina, el buen orden, conducta lícita, o administración de cualquier clase en la escuela o actividad de la escuela, con la intención de perturbar, obstruir, o infligir daño a la propiedad o daño corporal a cualquier persona. Este comportamiento constituye un delito menor, y el distrito inmediatamente informará tal tipo de interferencia deliberada a las autoridades apropiadas, así como el distrito puede prohibir o limitar a tales personas de regresar a la propiedad escolar conforme con la política escolar.

EC § 46010.1 – Ausencia Permisiva para Servicios Médicos sin el Consentimiento de los Padres: Las autoridades escolares pueden excusar a cualquier alumno en los grados 7-12 de la escuela con el fin de obtener servicios médicos confidenciales sin el consentimiento del padre o tutor del alumno.

EC § 46014 – Enseñanza Religiosa: Una ausencia justificada puede ser concedida para acudir a un retiro religioso o para participar en ejercicios religiosos de acuerdo con la política del distrito.

EC § 221.51, 222.5, 46015-Derechos y Opciones Disponibles a Embarazadas y Padre Estudiante: Una embarazada o padre estudiante es definido como cualquier estudiante que da o espera dar nacimiento, o cualquier padre estudiante que se identifica como padre de un infante. Embaraza y padre estudiantes tiene derecho a por lo menos ocho semanas de licencia parental, la cual puede ser tomada antes del nacimiento del infante, si existe una necesidad médica, o después del nacimiento durante el año escolar que el nacimiento tomo lugar, incluye la escuela de verano obligatoria. El alumno no es requerido de tomar el tiempo ni de notificar a su escuela que lo tomara; esto es para garantizar el derecho mínimo que puede ser expandido si existe una necesidad medica que lo haga necesario. La ausencia parental será considerada una ausencia justificada, y la embarazada o padre estudiante no se le requerirá que complete ningún trabajo académico durante este periodo.

Una embarazada o padre estudiante puede regresar a su previa escuela y curso de estudio y tiene derecho a oportunidades de hacer el trabajo que no hizo durante su ausencia. Estos estudiantes se les permitirá registrarse un quinto año de preparatoria para completar cualquier requerimiento estatal o local de graduación, excepto cuando la escuela considera que el alumno es razonablemente hábil para completar estos requerimientos a tiempo para graduarse de la preparatoria al final del cuarto año.

Una embarazada o padre estudiante que no desea registrarse en su previa escuela tiene derecho a una opción ofrecida por la agencia local educativa. Si es así registrado, el alumno se le dará programas y actividades educativas, y cursos equitativos a los que se dan si participara en un programa regular. Además, una escuela no penalizara a un estudiante por usar las acomodaciones mencionadas.

Una escuela no puede aplicar ninguna regla con respecto al estado paterno, familiar o estado civil que trata a los alumnos de manera diferente sobre la base del sexo. Las alumnas embarazadas y con hijos tienen derecho a adaptaciones que les brinden la oportunidad de triunfar académicamente mientras se protege su salud y la salud de sus hijos estableciendo derechos específicos.

Si un estudiante cree que su escuela está discriminando en base a su sexo en oposición a sus derechos mencionados anteriormente, tal estudiante poder someter una queja a través del estandarizado procedimiento que quejas uniformes del Código de Regulación de California, Título 5 secciones 4600m et. Seq.

EC § 46148- Inicio de la Escuela: Empezando el primero de julio del 2022, o la fecha en la cual un distrito escolar o escuela chárter respectivamente de acuerdo con el acuerdo de negociaciones expiración del primero de enero del 2020 (cualquiera que preceda), el día escolar para la secundaria y preparatoria debe empezar no más temprano que las 8:00 a.m. y 8:30 a.m. respectivamente. El Estado de Educación de California orientara a los distritos escolares y escuelas chárter que anuncien esta información y el sitio de Web relacionado con el impacto de depravación del sueño en los adolescentes y los beneficios de empezar la escuela un tiempo más tarde. Este requerimiento no se aplica a los distritos escolares rurales.

EC § 46600 – Transferencias entre Distritos: Donde sea permitido por la ley y la política de la Mesa Directiva, los alumnos pueden solicitar permisos de transferencia entre distritos conforme a las normas del Código de Educación secciones 46600-46611 y de acuerdo con la política del distrito. Si un alumno ha sido víctima de un acto de hostigamiento por un alumno del distrito escolar de residencia, se le dará prioridad al alumno-victima para asistencia a otro distrito escolar.

EC § 48000 – Inscripción en el Jardín de Niños: Los alumnos serán matriculados en el jardín de niños al principio del año escolar o en cualquier otro tiempo si el alumno cumple cinco años en/o antes de las fechas siguientes:

- (3) Primero de octubre del año escolar 2013-2014;
- (4) Primero de septiembre del año escolar 2014-2015 y cada año después de eso.

Para el año escolar 2013-2014, un niño/a que tendrá su quinto cumpleaños entre el 2 de octubre y el 2 de diciembre será admitido a un programa de jardín de niños transicional mantenido por el distrito escolar.

Para el año escolar 2014-2015, y cada año después, un niño/a que tendrá su quinto cumpleaños entre el 2 de septiembre y el 2 de diciembre será admitido a un programa de jardín de niños transicional mantenido por el distrito escolar.

Sobre la base de caso por caso, un niño/a que ha cumplido cinco años después de la fecha designada previamente pero antes del fin del año escolar aplicable, puede ser admitido al jardín de niños con la aprobación del padre o tutor y sujeto a la aprobación del la Mesa Directiva de acuerdo con EC § 48000.

El jardín de niños transicional significa el primer año de un programa de dos años de jardín de niños que utiliza un plan de estudios modificado que es apropiado para la edad y el desarrollo del niño/a.

EC § 48200, 48204, 48204.3, 48204.4, 48204.6, 48204.7-Requerimientos de Residencia: Cada persona de edades entre 6 y 18 años (y no exento) está sujeto a una educación obligatoria de tiempo completo. Cada persona sujeta a educación obligatoria de tiempo completo y no exento asistirá a una escuela público de tiempo completo o escuela de continuación o clases designadas por la mesa directiva del distrito escolar como de tiempo completo del día escolar en el lugar de residencia localizado de uno de los padres o del tutor legal.

Un alumno puede alternativamente cumplir con los requerimientos de residencia de asistencia en un distrito escolar, si reúnen alguna de las siguientes:

1. Puesto dentro de los límites del distrito escolar en una casa de acogida o institución acreditada de niños como es definida en la Sección 56155.5 o una casa familiar dentro de los límites del distrito escolar conforme al compromiso o colocación bajo el código de bienestar e institución.
2. Un alumno que está en una colocación en hogar de guarda permanecerá en la escuela de origen.
3. Un alumno que su transferencia interdistrital ha sido aprobada.
4. Un alumno emancipado que reside dentro de los límites del distrito escolar.
5. Un alumno que vive en el hogar de un adulto guardián que está localizada dentro de los límites del distrito escolar.
6. Un alumno cuya residencia está localizada en un hospital estatal dentro de los límites del distrito escolar.
7. Un alumno cuyo padre o guardián legal reside fuera de los límites del distrito escolar por un mínimo de tres días durante la semana escolar.
8. Uno o ambos de los padres o guardianes legales son físicamente empleados dentro de los límites del distrito escolar por un mínimo de diez horas durante la semana escolar.
9. Un distrito escolar permitirá a un alumno que es un niño de una familia militar que continúe su educación en la escuela de origen, a pesar de algún cambio de residencia de la familia militar durante el año escolar, durante el estatus del alumno como niño de una familia militar.
10. Un distrito escolar permitirá a un alumno que un niño migratorio continúe asistiendo a su escuela de origen, o a una escuela dentro del distrito escolar a pesar de cualquier cambio de residencia del alumno; y

11. Un alumno cuyo padre o padres fueron residentes de este estado y tuviera que partir de California en contra de su voluntad, y si el alumno solicita admisión a la escuela o al distrito escolar, se le admitirá, a pesar de su residencia actual, proveyendo que el alumno tiene:
- a) Documentos oficiales como evidencia de su salida de sus padres o guardián legal.
 - b) Movimiento fuera de California como resultado de su padre o guardián legal que salieron en contra de su voluntad y el alumno vivía en California antes del movimiento fuera de California.; y
 - c) Provee documentación que el alumno fue registrado en una escuela pública en California inmediatamente antes del movimiento fuera de California.

EC § 48205 – Ausencias Justificadas: Según la ley, su hijo/a será justificado por ausencias solamente cuando la ausencia haya sido:

- a. Debido a su enfermedad.
- b. Debido a la cuarentena bajo la dirección de un oficial de salud del condado o la ciudad.
- c. Con el fin de obtener servicios médicos, dental, de optometría o quiroprácticos.
- d. Con el fin de asistir al servicio fúnebre de un miembro de su familia inmediata, siempre y cuando la ausencia no es más de un día si el servicio se conduce en California y no más de tres días si el servicio se conduce fuera de California.
- e. Con el fin de servir en un jurado de la manera prescrita por la ley.
- f. Debido a la enfermedad o cita médica durante las horas de clases de un niño/a de quien el alumno es el padre/madre de custodia.
- g. Por razones personales justificadas, incluyendo pero no limitado a, presentarse a corte, asistencia a un servicio fúnebre, observación de un día festivo o de una ceremonia de su religión, la asistencia a retiros religiosos, o la asistencia a una conferencia de empleo (no exceder más de cuatro horas por semestre), o la participación en una conferencia educativa sobre el proceso legislativo o judicial ofrecido por una organización sin fines lucrativos, cuando la ausencia del alumno ha sido solicitada por escrito por el padre o tutor y aprobada por el director o un representante designado conforme a los estándares uniformes establecidos por la Mesa Directiva.
- h. Con el propósito de servir como miembro del recinto de una Mesa Directiva para una elección conforme a la sección 12402 del Código de Elecciones.
- i. Para el propósito de pasar tiempo con un miembro de la familia inmediata del alumno que es miembro activo de los servicios militares, como es definido en la sección 49701, y ha sido llamado al deber, está de baja de ese deber, o ha regresado de o ha sido desplegado a una zona de combate o posición de apoyo en una zona de combate. Ausencias otorgadas según este párrafo serán otorgadas por un periodo de tiempo determinado a la discreción del superintendente del distrito escolar.
- j. Para el propósito de asistir a la ceremonia de naturalización para ser un ciudadano de los Estados Unidos de Norte América
- k. Para el propósito de participar en un evento de una ceremonia cultural.
- l. Para el propósito de participar en un evento cívico o político de la escuela intermedia o de la secundaria, como lo provee el subpárrafo (B), considerando que el alumno notifica a la escuela con tiempo de anticipación sobre la ausencia de acuerdo con el subpárrafo (B), en la escuela intermedia o en la secundaria el estudiante que está ausente requiere de ser disculpado solo por una jornada escolar al año.

Un alumno ausente de la escuela por una de las razones antes mencionadas deberá ser permitido terminar todas las tareas y pruebas que no haya hecho durante la ausencia y que puedan ser razonablemente proporcionadas, sobre la terminación satisfactoria dentro de un periodo de tiempo razonable se le deberá dar, por lo tanto, el crédito completo. El maestro de cualquier clase de donde el alumno este ausente, deberá determinar las pruebas y

tareas, las cuales deberán ser razonablemente equivalentes a, pero no necesariamente idénticas a, las pruebas y tareas que el alumno no hizo durante la ausencia.

EC § 48206.3, 48207, 48208 – Alumnos con Discapacidades Temporales: Si su hijo/a tiene una discapacidad temporal que le evite a el/ella que asista a clases regulares, el Distrito proporcionará instrucción individual cuando sea posible. Es la responsabilidad de los padres o tutores notificar al Distrito inmediatamente si parece que su hijo/a pueda ser elegible para tales servicios. Si su hijo/a obtiene una discapacidad temporal, es admitido a un hospital u otra instalación residencial de cuidado médico la cual esté situada fuera de este distrito, el/ella puede ser elegible para asistir a la escuela en el distrito escolar en el cual el hospital está situado. Si se presenta esta situación, usted debe notificar a ambos, el distrito en el cual usted reside y el distrito en el cual el hospital está situado. Al recibir el aviso de un padre o tutor de que un niño/a puede ser elegible para instrucción individualizada durante una discapacidad temporal, el Distrito tomará una determinación dentro de cinco días laborales en relación si el niño/a podrá recibir la instrucción individualizada. La instrucción individualizada deberá comenzar no más de cinco días laborales después de que se haya hecho una determinación positiva.

EC § 48216 – Enfermedades Contagiosas: El distrito está autorizado a administrar agentes de inmunización a los alumnos cuyos padres den su consentimiento por escrito de la administración de tal agente de inmunización. Se requiere que el distrito excluya alumnos que no han sido apropiadamente inmunizados de acuerdo con el código de Salud y Seguridad 120365, 120370, y 120372.

EC § 48260.5 – Aviso a los Padres de un Alumno Clasificado como Faltista (ausente de clases): Sobre la clasificación inicial como alumno faltista, el distrito notificará al padre o tutor del alumno utilizando el método más económico posible que puede incluir correo electrónico o llamada telefónica.

EC § 48263- Remisión de Ausente Habitual: Estudiantes menores que sean habituales ausentes o que son ausentes irregulares a la escuela, o que habitualmente son insubordinados o desordenados durante su asistencia a la escuela pueden ser referidos a la mesa de revisión de ausencias de la escuela (SARB) o al departamento de servicios de libertad condicional.

EC § 35160.5 (b) - Seleccionando una escuela dentro del distrito en el cual los padres viven: Seleccionando una escuela dentro del distrito en el cual los padres viven: La ley (EC § 35160.5 (b)) requiere que la mesa directiva de cada distrito establezca una póliza que permitirá a los padres escoger las escuelas que sus niños asistirán, a pesar de donde el padre viva en el distrito. La ley limita la selección de la manera siguiente:

- Estudiantes que viven en el área de asistencia de la escuela se les dará prioridad de asistir a la escuela sobre otros estudiantes que no viven en el área de asistencia de la escuela.
- En casos en que haya más peticiones para asistir a la escuela de las aperturas, el proceso de selección será “al azar e imparcial,” lo cual generalmente significa que los estudiantes serán seleccionados a través de un proceso de lotería de en vez de a base de que quien solicita primero. El distrito no puede usar la actuación académica ni atlética como una razón para aceptar o rechazar una transferencia.
- Cada distrito decidirá el número de aperturas de cada escuela que pueden ser llenadas por estudiantes de transferencia. Cada distrito también tiene la autoridad de mantener un balance racial y étnico apropiado entre las escuelas, lo cual significa que un distrito puede negar una petición si está molesta el equilibrio o dejara fuera de cumplimiento con un mandato judicial o un programa voluntario de desegregación.
- Un distrito no es requerido de proveer asistencia de transportación a un estudiante que se transfiere de otra escuela al distrito bajo estas provisiones.

- Si una transferencia es negada, un padre no tiene el derecho automático de apelar tal decisión. Un distrito puede, más, sin embargo, voluntariamente decidir poner un proceso para los padres como apelar la decisión.

Seleccionando una escuela fuera del distrito en la cual los padres viven: Los padres tienen diferentes opciones en como seleccionar una escuela fuera del distrito en el cual ellos viven, las tres opciones son las siguientes:

Opción 1: Los distritos de selección (EC § 48300 al 48315): La ley permite, pero no requiere, cada distrito escolar ser un “distrito de selección” – esto es, un distrito que acepta estudiantes transferencias fuera del distrito bajo los términos y referencias y secciones del código educativo. Si la mesa directiva decide ser un “distrito de selección.” Tiene que determinar el número de estudiantes que está dispuesto a aceptar en esta categoría casa año y aceptar todos los alumnos que solicitan transferencia hasta que el distrito escolar está a capacidad máxima. El distrito de selección asegurara a los alumnos aceptados bajo este artículo que son seleccionados bajo un proceso imparcial, que prohíbe la consideración de factores como actuación académica o atlética, condición física, o competencia de ingles Si el distrito decide no ser un “distrito de selección,” un padre no puede solicitar una trasferecia bajo estas provisiones. Otras provisiones del “distrito de selección” incluye:

- Ya sea el distrito o un estudiante puede transferir a o al distrito un estudiante puede transferir puede ser negado transferencia si el estudiante afecta negativamente el balance racial y étnico del distrito, o una orden judicial o un plan voluntario de desegregación. Un distrito de selección no puede negar una petición de transferencia en las bases de que cuesta proveer servicios excede los ingresos recibidos, pero puede rechazar una petición si hacerlo requiere la creación de un nuevo programa. Mas, sin embargo, el distrito de selección no puede negar la transferencia de ningún estudiante con necesidades especiales, incluyendo un individuo con necesidades excepcionales, o un estudiante aprendiz de inglés, aunque el costo de educar al estudiante exceda el ingreso que recibe o la creación de un nuevo programa es requerido. El distrito que el estudiante dejara también puede limitar el número total de transferencia de estudiantes fuera del distrito cada año a un porcentaje específico de su total registración, dependiendo del tamaño del distrito.
- La comunicación con los padres por el distrito escolar de selección tiene que ser con una precisión objetiva y no ser dirigido a los estudiantes basados en su habilidad académica, actuación atlética, u otras características personales.
- El distrito de selección debe anuncia la información de transferencia en su página web, incluyendo cualesquiera formas de solicitud, la línea de tiempo para una transferencia y una explicación del proceso de selección.
- Toda comunicación del distrito escolar de selección acerca de oportunidades de transferencia debe estar disponibles en todos los idiomas en los cuales traducciones son requeridas en el distrito escolar de residencia bajo EC § 48985
- Ningún estudiante que actualmente asiste a la escuela o vive dentro del área escolar de asistencia será forzado a dejar esa escuela para hacer lugar a un estudiante de transferencia bajo estas provisiones.
- Prioridad de entrada será otorgada de la siguiente manera:
 - Hermanos de estudiantes que ya asisten a la escuela en “el distrito de selección” se les dará primera prioridad.
 - Alumnos eligibles a alimentos gratis o a precios reducidos se les dará segunda prioridad.
 - Los niños de personal militar se les dará tercera prioridad.
 - Un padre puede peticionar asistencia de transportación dentro de los límites del “distrito de selección.” Al distrito se le requiere que provea transportación solamente al grado que ya provee.

- Un distrito escolar en el cual tiene un padre en servicio militar activo reside el estudiante no se le negará la transferencia a ese estudiante a una escuela en cualquier distrito, si el distrito escolar al cual el padre del estudiante solicita aprueba la solicitud de transferencia.

Opción 2: Otras transferencias interdistritales (EC § 46600 et seq.): La ley permite a dos o más distritos entrar en un acuerdo de transferencia de uno o más estudiantes por un periodo de cinco años. Nuevos acuerdos pueden ser entrados por periodos adicionales por no más de cinco años a la vez. El acuerdo debe especificar los términos y condiciones bajo cuales transferencias son permitidas. Los distritos de residencia no pueden negar transferencia a un estudiante cuyos padres están en servicio militar activo al cual el distrito de registraci3n propuesto aprueba la solicitud. La ley de transferencia interdistrital también provee lo siguiente:

- Ya sea si el distrito niega la petici3n de transferencia, un padre puede apelar esa decisi3n a la mesa directiva del condado de educaci3n. Hay líneas de tiempo específicas en la ley para archivar una petici3n y para la mesa directiva del condado de educaci3n para tomar una decisi3n.

EC § 48645.3-48645.7 – Requerimientos de graduaci3n para los alumnos de escuelas de la corte juvenil:

- 1) Cuando un alumno es intitulado para recibir un diploma de una escuela de la corte juvenil el distrito notificará al alumno, la persona con el derecho de tomar decisiones por el alumno, y la trabajadora social o al agente de condici3n provisional de todo lo siguiente:
 - (A) El derecho del alumno a un diploma cuando el alumno ha cumplido los requerimientos necesarios.
 - (B) Como tomando cursos y otros requerimientos adoptados por la mesa directiva del distrito de educaci3n o educaci3n continua después de salir de las instalaciones de la detenci3n juvenil afectará la habilidad del alumno a obtener admisi3n a una instituci3n educacional de postsecundaria.
 - (C) Informaci3n acerca de transferencia de oportunidades disponibles a través del colegio comunitario de California.
 - (D) El alumno o el titular de derechos educacionales, como sea aplicable, la opci3n de permitir al alumno de aceptar o declinar el diploma y tomar cursos adicionales conforme a las secciones 3 & 4:
- 2) Si un distrito falla de proveer aviso oportuno que el estudiante ha cumplido con los requerimientos necesario para obtener un diploma, el alumno será eligeble para el diploma cuando el alumno sea avisado, aun si el alumno es avisado después de terminar su jurisdicci3n judicial del alumno.
- 3) Si el distrito encuentra que la escuela de jurisdicci3n juvenil del alumno, que es intitulado a un diploma, se podría beneficiar de cursos y otros requerimientos adoptados por la mesa directiva del condado de educaci3n de Imperial será:
 - (A) Informar al alumno de sus opciones de tomar cursos y otros requerimientos adoptados por la mesa directiva del condado de educaci3n de Imperial.
 - (B) Permitir al alumno, con acuerdo del alumno si el alumno tiene 18 o más, o si el alumno es menor de 18, bajo acuerdo del titular de derechos de tomar cursos u otros requerimientos adoptados por la mesa directiva del condado de educaci3n de Imperial, y aplazar la otorgaci3n del diploma hasta que el alumno es liberado de las instalaciones de detenci3n juvenil.
- 4) Después de ser liberado del centro de educaci3n juvenil, o del titular de los derechos del alumno, puede elegir declinar la emisi3n del diploma con el propósito de registrar al alumno en agencia educaci3n local (LEA) o una escuela chárter para tomar cursos adicionales. Si el estudiante o titular de derecho considera declinar el diploma, el distrito deberá orientar al alumno o titular de los derechos a considerar ya sea muy probable lo siguiente:
 - (A) Registrar en una escuela operada por una LEA o escuela chárter
 - (B) Beneficios de educaci3n continua.
 - (C) Graduaci3n de preparatoria
- 5) El distrito concederá un diploma a un alumno intitulado para recibir un diploma pero que previamente aplazo o declino la diploma, por petici3n del alumno o de su titular de derechos.

- 6) Si una escuela de jurisdicción juvenil intitula un diploma al alumno, el distrito no revocará esa elegibilidad. Si un exalumno de la escuela de la jurisdicción juvenil es intitulado a un diploma, ese derecho continuo ser aplicado después de terminar su jurisdicción judicial.
- 7) Una queja de no conformidad con los requerimientos de esta sección puede ser llenada con la agencia educacional local bajo los procedimientos de quejas expuestos en Capítulo 5.1 (empezando con la Sección 4600) de División 1 de Título 5 del Código de Regulación de California.
- 8) Un quejante no satisfecho con la decisión de la agencia de educación local puede apelar la decisión al departamento de educación de California (CDE) y recibirá una decisión por escrito acerca de la apelación dentro de 60 días de que CDE reciba la apelación.
- 9) Si una agencia educacional local encuentra merito a la queja, o CDE encuentra merito a una apelación, la agencia educacional local proveerá un remedio al alumno afectado.

EC § 48853; 48853.5; 49069.5 – Carta de derechos de jóvenes adoptivos: “Alumnos en cuidado de crianza” significa un niño que ha sido removido de su hogar conforme a la Sección 309 del Código de Bienestar e Institución (WIC), es sujeto de la petición archivada bajo Sección 300 o 602 del WIC, o ha sido removido de su hogar y es sujeto a la petición archivada bajo WIC Sección 300 y 602.

Un alumno en cuidado de crianza que es puesto en una institución de niños certificada o un hogar de acogida asistirá a programas operados por la agencia educacional local en la cual la institución de niños certificada u hogar de acogida está localizada, a menos que una de las siguientes aplica:

1. El alumno este titulado a permanecer en la escuela de origen;
2. El alumno tiene un plan individual de aprendizaje que requiere colocación en una escuela no pública y no sectoria o en otra agencia de educación local.
3. El padre o guardián u otra persona que tenga el derecho de hacer decisiones educacionales por el alumno conforme a la Sección 361 o 726 del WIC o Sección 56055 (los derechos educacionales del titular), determina lo que de mejor interés del alumno que sea colocado en otro programa educacional y que sea sometido por escrito a la agencia educacional local que tomaron esa determinación. Esta declaración incluirá que el padre, guardián o titular de los de los derechos educacionales está al tanto de todo lo siguiente:
 - a) El alumno tiene derecho de asistir a una escuela pública regular con las mínimas restricciones ambientales.
 - b) El programa de educación alternante es un programa de educación especial, si es aplicable.
 - c) La decisión unilateral de remover al alumno de la escuela pública regular y de colocar al alumno en un programa de educación alternante no podrá ser financiado por la agencia educativa local.
 - d) Cualquier intento de buscar reembolso por el programa de educación alternante los gastos serán al padre, guardián, o titular de derechos educativos.

El padre o guardián, o titular de derechos educativos primero tendrá que considerar la colocación en la escuela pública regular antes de decidir colocar al alumno en hogar de acogida en una escuela de jurisdicción judicial, escuela de la comunidad, u otro ajuste educativo alternante.

Un alumno en cuidado de crianza puede todavía estar sujeto a expulsión bajo las leyes aplicables y pólizas de la mesa directiva.

Los alumnos en cuidado de crianza son sujetos a otras leyes que gobiernan las colocaciones educativas en la escuela de jurisdicciones juveniles, de un alumno detenido en un reformatorio del condado, o sometido a un rancho juvenil, campamento, campo forestal, o una facilidad regional, no obstante, los derechos contenidos en este aviso.

Los niños en cuidado de crianza viviendo en albergues de emergencia (como mencionados en la ley McKinney-Vento federal de asistencia a los indigentes (42 U.S.C. Sec. 11301, et seq.), pueden recibir servicios educacionales en los albergues de emergencia por periodos necesarios y cortos por alguna de las siguientes razones:

1. Por emergencias de salud y seguridad.
2. Para proveer temporalmente servicios especiales y suplementarios para cumplir con las necesidades únicas del niño si una decisión por el mejor interés del niño que asista a su escuela de origen y que no se pueda lograr prontamente, ya que no sea practico transportar al niño a su escuela de origen, y el niño no podría recibir servicios educacionales.

Los servicios educacionales pueden ser proveídos en el albergue pendiente de una determinación del titular de derechos educacionales acerca de la colocación educacional del niño.

Todas las decisiones de educación y escuela serán hechas para asegurar que el niño sea colocado en un programa educativo con mínimo de restricciones y que tiene acceso a recursos académicos, servicios y actividades extracurriculares enriquecedoras que están disponibles para todos los alumnos. En todos los casos, las decisiones de colocación de escuela y educacionales serán basadas tomando en cuenta el mejor interés del niño.

El Distrito de la escuela primaria de la unión McCabe ha designado al Superintendente, o designado, como el enlace educacional para los alumnos de orfanato. El rol del enlace educacional es consultivo con respecto a las decisiones de colocación y determinación de la escuela de origen, pero este no reemplaza el rol del padre o guardián de retener derechos educacionales, un adulto responsable asignado por la Corte, un sustituto o padre adoptivo ejercitando sus derechos legales con respecto a la educación del niño en el orfanato. El enlace educacional servirá en los siguientes roles:

1. Se asegura y facilita colocación educacional apropiada, registración en la escuela, y revisa la escuela para los niños en orfanato.
2. Asiste a los niños en orfanato cuando se transfieren de una escuela a otra escuela o de un distrito escolar a otro distrito escolar para asegurarse transferencia apropiada de créditos, registros y grados.
3. Cuando el designado por el superintendente avisa al abogado de un niño en orfanato y a la agencia de bienestar social del niño representado(os) de un procedimiento de disciplina pendiente y la manifestación determinante del proceso pendiente. Si ellos son también elegibles para recibir educación especial y servicios relacionados bajo IDEA.

EC § 48900- Suspensión: Un alumno no será suspendido de la escuela o recomendado para expulsión, a menos que el superintendente del distrito escolar o director de la escuela en la cual el alumno es registrado determina que el alumno ha cometido un acto que es definido conforme a alguna subdivisión (a) o (r) inclusivo:

- (a) Causo, intento causar o amenazar en causar lesión física a otra persona; (2) Intencionadamente uso fuerza o violencia sobre otra persona, excepto en defensa propia.
- (b) Poseído, vendió o suministro un arma de fuego, navaja, explosivo u otro objeto peligroso a menos que en el caso de posesión de un objeto de este tipo, el alumno obtuvo permiso por escrito para poseer el artículo de un empleado certificado de la escuela, lo cual es convenido por el director, o el designado del director.
- (c) Ilegalmente posee, usa, o de otra manera suministra, o ha estado bajo influencia de una sustancia controlada enlistada en Capítulo 2 (empezando con sección 11053) de la división 10 del código de salud y seguridad, una bebida alcohólica, o un intoxicante de cualquier clase.
- (d) Ilegalmente ofreció, arreglo, o negocio vender sustancia controlada enlistada en Capítulo 2 (empezando con sección 11053) de la división 10 del código de salud y seguridad, una bebida alcohólica, o un intoxicante de cualquier clase, ya sea vendida, entregada, o de otra manera suministrada a una persona u otro líquido, sustancia, o material que representa líquido, sustancia o material como una sustancia controlada, bebida alcohólica o intoxicante.
- (e) Cometió o intento cometer robo o extorsión.
- (f) Causo o intento causar daño a la propiedad escolar o propiedad privada.
- (g) Robo o intento robar en la propiedad de la escuela o en propiedad privada.
- (h) Poseído o uso tabaco, o productos que contienen tabaco o productos de nicotina, incluyendo per no limitado a cigarros, puros, puros diminutos, cigarrillos de clavo, tabaco sin humo, rape, paquetes de mascar, betel. Mas sin embargo esta sección no prohíbe el uso o posesión a un alumno de productos prescritos.
- (i) Cometer; un acto obsceno o involucrarse en profanidad y vulgaridad.
- (j) Ilegalmente poseer o ilegalmente ofrecer, arreglar, o negociar la venta de parafernalia como es definido en la sección 11014.5 del código de salud y seguridad.
- (k) Interrumpir actividades de escuela o de otra manera intencionalmente desafiar la autoridad valida de los supervisores, maestros, administradores, oficiales de la escuela, u otro personal de la escuela involucrados en la actuación de sus obligaciones. (2) Excepto como es proveído en la sección 48910, un alumno registrado en kínder o cualquier otro grado de 1 al 3, inclusive, no será suspendido por cualquier de los actos enumerados en este párrafo (1) y esos actos no constituirán terreno para un alumno registrado en kínder o cualquier grado de 1-12, incluso, ser recomendado para expulsión. Este párrafo es inoperativo el 1 de julio del 2020. (3) Excepto como es proveído en la sección 48910 empezando el 1 de julio del 2020, un alumno registrado en kínder u cualquier grado del 1-5, incluso, no será suspendido por cualquier acto especificado en párrafo (1) y esos actos no constituirán terreno para un alumno registrado en kínder o cualquier grado del 1 al 12, incluso ser recomendado por expulsión. (4) Excepto como proveído en la sección 48910, empezando el 1 de julio del 2020, un alumno registrado en cualquier grado del 6 al 8, inclusive, no será suspendido por cualquier acto especificado en párrafo (1). Este párrafo es inoperativo el 1 de julio del 2025.
- (l) A sabiendas de recibir propiedad robada de la escuela o propiedad privada.
- (m) Posesión de una imitación de un arma de fuego. Como es usada en esta sección “imitación de arma de fuego” significa una réplica de un arma de fuego que es substancialmente similar en propiedad física a una existente arma de fuego que dirige a una persona razonable a concluir que la réplica es un arma de fuego.
- (n) Cometió o intento cometer un asalto sexual como es definido en la sección 261, 266c, 286, 287, 288, o 289 de, o anteriormente la sección 288^a, del código penal o cometió una agresión sexual como es definida en la sección 243.4 del código penal.
- (o) Acosado, amenazado, o intimidado a un alumno que es testigo de una queja o un testigo en u procedimiento disciplinario escolar con el propósito ya sea de prevenir a ese alumno de ser un testigo o tomar represalias en contra del alumno por ser testigo o ambos.
- (p) Ilegalmente ofrecer, organizar para vender, negociar para vender o vender la prescripción droga soma.
- (q) Comprometido o intentar comprometerse en novatadas. Para propósitos de esta subdivisión “novatadas” es cualquier método de iniciación o reiniciación de un alumno de una organización u organismo, ya sea o no la

organización u organismo es oficialmente reconocida por una institución educacional, la cual es probable que cause heridas serias al cuerpo o degradación personal desgracia resultando en daño físico o mental a un exalumno, actual o prospecto alumno. Para propósitos de esta subdivisión, “novatadas” no se incluirán en eventos o eventos sancionados por la escuela.

- (r) Involucrado en un acto de acoso. Para propósitos de esta subdivisión, los siguientes términos tienen el siguiente significado:
- i.” Acoso” significa severo o penetrante acto físico o verbal o conducta, incluyendo comunicación por escrito de por medio de un acto electrónico, incluyendo uno o más actos cometidos por un alumno o grupo de alumnos como está definido en la sección 48900.2, 48900.3, o 48900.4, dirigida hacia uno o más alumnos que tiene o puede ser razonablemente predecible de tener un efecto de uno o más de los siguientes:
1. Poner a un alumno o alumnos razonables con temor a un daño a su persona o propiedad hacia el alumno o a esos alumnos.
 2. Causar a un alumno razonable que experimente sustancialmente un efecto perjudicial en el alumno físicamente o de salud mental.
 3. Causar a un alumno razonable que experimente una interferencia sustancial en la actuación académica del alumno.
 4. Causar a un alumno razonable experimentar sustancialmente interferencia con las habilidades del alumno en participación o beneficio de los servicios, actividades, o privilegios proveídos por una escuela.
- ii, (A) “Acto Electrónico” significa la creación o transmisión originada en o fuera del sitio escolar, por medio de un dispositivo electrónico, incluyendo pero no se limita a un teléfono, teléfono inalámbrico, u otro dispositivo de comunicación inalámbrica, busca persona, de una comunicación incluyendo, pero no limitado a cualquiera de las siguientes:
1. Un mensaje, texto, sonido, video o imagen.
 2. Una publicación en una red social de un sitio web del Internet, incluyendo, pero no limitado a:
 - a) Publicando o crear una página grabada. “Página grabada” significa un sitio web en el Internet para el propósito de tener uno o más de los efectos listados en el párrafo (i); (b) creando una interpretación creíble de otro alumno actual con el propósito de tener uno o más de los efectos listados en párrafo (i). “Interpretación creíble” significa que a sabiendas y sin consentimiento para interpretar a un alumno con el propósito de acosar al alumno y a tal que otro alumno razonablemente lo crea, o tiene la creencia razonable, que el alumno era o es el alumno que fue interpretado; c) creando un falso perfil con el propósito de tener uno o más de los efectos listados en párrafo (i). “Falso perfil” significa un perfil de un alumno ficticio o un perfil usando la semejanza o atributos de un alumno actual otro que el alumno por cual fue creado el falso perfil.
 3. Un acto de acoso sexual cibernético. Para propósitos de esta cláusula, “acoso sexual cibernético” significa la diseminación de, o la solicitud o la incitación de diseminar, una fotografía u otra grabación visual por un alumno a otro alumno o al personal de la escuela por medio de un acto electrónico que tiene o puede ser razonablemente precedido de tener uno o más de los efectos descritos en el subpárrafo (1)-(4), incluso de párrafo (i). Una fotografía u otra grabación visual, como es descrita en esta subcláusula, que incluirá la representación de un desnudo, semidesnudo, o una fotografía sexual explícita u otra grabación visual, u otro acto electrónico. Para propósitos de esta cláusula, “acoso sexual cibernético no incluye una representación o imagen que tiene valor de literatura seria, artística, educacional, política o científica o que involucra eventos atléticos o eventos de la escuela.
- (B) A pesar de párrafo (i) y subpárrafo (A), un acto electrónico no constituirá una conducta penetrante solamente en las bases que es transmitida en el internet o es actualmente publicada en el internet.
- iii. “Alumno razonable” significa un alumno, incluyendo, pero no limitado a, un alumno con necesidades excepcionales, que ejerce cuidado promedio, habilidad y juicio en conducta para una persona de su edad, o para una persona de esa edad de alumno con necesidades excepcionales.

- s. Un alumno no será suspendido o expulsado por cualquiera de los actos enumerados en esta sección, a menos que este acto está relacionado con una actividad de la escuela u ocurriera durante la asistencia en la escuela bajo la jurisdicción del superintendente del distrito escolar o el director u ocurriera dentro de otro distrito escolar. Un alumno puede ser suspendido o expulsado por los actos enumerados in esta sección y relacionados con actividades escolares o en asistencia que ocurrió en cualquier momento, incluyendo, pero no limitado a cualquiera de las siguientes:
 - i. En el terreno de la escuela;
 - ii. De ida a la escuela y de salida de la escuela;
 - iii. Durante el periodo del almuerzo ya sea en la escuela o fuera de la escuela;
 - iv. Durante o mientras viene o va a una actividad patrocinada por la escuela;
- t. Un alumno que asiste o instiga, como es definido en la sección 31 del código penal, la inflicción o intento de inflicción de herida física a otra persona puede ser sujeto a suspensión, pero no expulsión, conforme a esta sección, excepto que ese alumno que ha sido adjudicado por una corte juvenil que ha cometido, como asistente e instigador, un crimen de violencia física en la cual la víctima sufrió gran herida a su cuerpo será sujeto a disciplina conforme a subdivisión (a).
- u. Como es usado en esta sección, “la propiedad escolar” incluye, pero no es limitada a archivos electrónicos y datos de base.
- v. Para que un alumno sea sujeto a disciplina bajo esta sección, un superintendente del distrito escolar o director, se le alienta a proveer alternativas por suspensión o expulsión, usando marco de referencia basados en investigaciones con estrategias que mejoraran los resultados académicos y de comportamiento, que son apropiados a la edad y diseñados y dirigidos a corregir el mal comportamiento del alumno como esta especificado en la sección 48900.5.
- w. (1) Es la intención de la legislatura que alternativas para suspensión o expulsión sean impuestas al alumno que está ausente, tarde, o de otra manera ausente de las actividades de la escuela. (2) Es más la intención de la legislatura que el sistema de nivel-múltiple de apoyo, el cual incluye practicas restaurativas justas, practicas informadas de trauma, aprendizaje emocional y social de aprendizaje, e intervenciones de toda la escuela de comportamiento y apoyo, puede ayudar al alumno ganar habilidades sociales y emocionales críticas, recibir apoyo para asistir en la transformación de respuestas relacionadas con trauma, entender el impacto de esas acciones, y desarrollar métodos significativos para reparar el daño de la escuela comunitaria.

EC § 48900.1 – Requisito de que el Padre Asista a la Escuela: Un maestro puede requerirle a un padre que asista a la escuela con su hijo/a si ese alumno ha sido suspendido por un acto obsceno, una blasfemia habitual o una perturbación.

EC § 48900.2 – Política de Hostigamiento Sexual: No se tolerará el hostigamiento sexual, la violencia por odio y el hostigamiento, las amenazas o la intimidación de o por un empleado o de un alumno. La Mesa Directiva considera una grave ofensa el hostigamiento sexual, la cual puede resultar en una acción disciplinaria contra el empleado ofensor o la suspensión de alumnos.

EC § 48900.3- Violencia por odio: Un alumno de cualquier grado 4 a 12, inclusive, puede ser suspendido de la escuela o recomendado por expulsión si el superintendente o directo de la escuela en la cual el alumno esta registrado determina que el alumno ha causado, intento causar, o amenaza de causar, o participar en un acto de, odio, violencia, como es definido en EC 233(e). El distrito escolar notificará a los padres y padres legales que pueden suspender o suspenderán a un estudiante.

EC § 48900.4 -Acoso, Intimidación o Amenaza: Un alumno registrado en cualquier grado de 4-12, incluso, puede ser suspendido de la escuela o recomendado para expulsión si el superintendente o el director de la escuela

en la cual el alumno esta registrado determina que el alumno ha estado intencionalmente involucrado en acoso, amenaza, o intimidación, dirigida en contra del personal del distrito o alumnos, que es suficientemente severa o penetrante que tenga actualmente y razonablemente el efecto de materialmente interrumpir el trabajo en clase, creando un desorden substancial, e invadiendo los derechos ya sea del personal de la escuela o de los alumnos creando un ambiente educacional intimidante y hostil.

EC § 48900.7- Amenazas Terroristas en Contra de los Oficiales de la Escuela, Propiedad de la Escuela o

Ambos: Un alumno puede ser suspendido de la escuela o recomendado para expulsión si el superintendente o el director de la escuela en la cual el alumno esta registrado determina que el alumno ha hecho una amenaza terrorista en contra de los oficiales de la escuela o a la propiedad de la escuela, o ambos. Una “amenaza terrorista” incluye cualquier declaración ya sea escrita u oral, por una persona que intencionalmente amenaza en cometer un crimen que resultara en muerte, gran daño corporal hacia otra persona, o propiedad dañada en exceso de mil dólares (\$1,000), con la intención específica que la declaración es ser tomada como una amenaza, aun si no hay intención actual de llevarlo a cabo, lo cual en su cara y bajo las circunstancias en la cual fue hecho, es inequívocamente incondicional, inmediato, y específico para transmitir a la persona amenazada, una gravedad de propósito, y un prospecto inmediato de ejecución de la amenaza, y por lo tanto causar que persona razonable tenga un miedo sosteniente por su seguridad o por la seguridad de su familia, o por la protección de la propiedad del distrito escolar, o la propiedad personal de la persona amenazada o su familia inmediata.

EC § 48901.1; 48900 – Suspensiones: Desafío Voluntario: Prohíbe la suspensión de un estudiante por interrumpir las actividades escolares o desafiar intencionalmente la autoridad válida del personal escolar involucrados en el desempeño de sus funciones por los grados 4 y 5. Las suspensiones por estos actos también están prohibidas para los grados 6 a 8 hasta el 1 de julio de 2025. Las recomendaciones para la expulsión de un estudiante por estos actos siguen estando prohibidas para los estudiantes matriculados en cualquier grado.

EC § 48901.5 Dispositivo de Señalización Electrónico: La póliza del distrito regulando los derechos de los alumnos de poseer o usar dispositivos de señalamiento electrónicos (por ejemplo, celulares, y busca personas) en los planteles escolares durante el día escolar o en las actividades escolares se puede localizar en www.muesd.net.

EC § 48902 – Notificación a las Autoridades Policiales: Se requiere que el director o la persona designada informe a las Autoridades Policiales apropiadas antes de suspender o de expulsar a un alumno por las violaciones del Código Penal § 245. Deberá notificarse a las Autoridades Policiales apropiadas cualquier acto de un alumno que implique la posesión o venta de narcóticos o de una sustancia controlada o violaciones del Código Penal §§ 626.9, o 626.10. Además, se requiere que el director o el designado informe a las Autoridades Policiales apropiadas cualquier acto especificado en EC § 48915(c) (1) o (5) cometidos por un alumno o persona en el sitio escolar. La notificación a las Autoridades Policiales debe hacerse dentro del plazo de un día de la suspensión o expulsión por las violaciones del EC § 48900 (c) o (d). El informe reúne los requisitos del Acta de Escuelas Libre de Armas de 1994.

EC § 48904 – Responsabilidad de Padres y Tutores: Los padres o tutores de un menor de edad son responsables por la conducta indebida deliberada del menor que resulta en lesiones o la muerte de otra persona o la destrucción de la propiedad escolar. Los padres también son responsables por cualquier propiedad de la escuela que haya sido prestada al menor y que no haya sido devuelta deliberadamente. La responsabilidad monetaria puede ser tanto como \$10,000 por daños, y, además, un máximo de \$10,000 por el pago de una recompensa, si la hay.

El distrito escolar puede retener los grados, diplomas o las transcripciones del alumno responsable hasta que se hayan pagado tales daños o se haya regresado la propiedad o hasta que haya terminado el trabajo de un programa voluntario en vez de un pago monetario.

EC § 48906 – Entrega de un Alumno a un Oficial del Orden Público: Al entregar a su hijo/a, un oficial de la escuela a un oficial del orden público, con el fin de sacar a él/ella del plantel escolar, el oficial de la escuela deberá tomar medidas inmediatas para notificarle a usted o a un pariente responsable de su hijo/a, excepto cuando un alumno ha sido tomado en custodia como sospecha de ser víctima de abuso de niños. En este caso, el oficial del orden público notificará al padre o tutor.

EC § 48913.5 – Tareas Asignaturas para Estudiantes Suspendidos: Por petición de un padre o guardián legal u otra persona titular con derecho de tomar decisiones educacionales por el alumno, un maestro proveerá a un alumno en cualquier grado del 1al 12 que ha sido suspendido de la escuela por dos o más días escolares la tarea que el alumno de otra manera se le hubiera asignado. Si el alumno entrega la tarea asignada que peticiono de la manera anteriormente mencionada al maestro cuando el estudiante regresa de suspensión, o dentro del marco de tiempo originalmente prescrito por el maestro (cualquiera que sea más tardío), y no es calificado antes del final del término académico, entonces la asignatura no podrá ser incluida en la calculación de la calificación total del alumno.

EC § 48980(c) – Días de Formación Profesional de Personal y Días Mínimos: Los padres deberán ser notificados (a no más tardar de un mes antes) de cualquier día mínimo programado o días de formación profesional del personal, en los cuales no estén asistiendo alumnos. El distrito escolar debe proporcionar una copia del calendario de todos los días de desarrollo del personal mínimos y sin alumnos (por ejemplo, su calendario escolar)

EC § 48980(h) – Opciones de Asistencia: Los padres serán ser notificados anualmente de todas las opciones de asistencia / inscripción y los requisitos de residencia aplicables en el distrito.

EC §48980(i) – Invirtiendo Para El Futuro Educativo: Los padres son asesorados de la importancia de invertir en educación superior para su niño(a) y si apropiado las opciones de inversión, incluyendo, pero no limitado, a bonos de ahorro de los Estados Unidos.

EC § 48980(j) – Reducción de Grado/Pérdida de Crédito Académico: Ningún alumno tendrá sus grados reducidos o créditos académicos deducidos por cualquier ausencia(s) justificada conforme a la sección 48205 del Código de Educación si las tareas o pruebas que no hizo pueden ser razonablemente proporcionadas y terminadas satisfactoriamente dentro de un periodo de tiempo razonable.

Título I, Parte A, § 1112(e) – Cualificaciones del Maestro: Se les notificará a los padres o tutores de todos los alumnos que pueden solicitar calificaciones profesionales específicas del maestro(s) de la clase del alumno y del paraprofesional(s) asignado.

EC § 44050 – Interacciones de los Empleados con los Alumnos: MUESD va a insertar una copia de la sección dentro del Código de comportamiento de los empleados con relación a las interacciones con los estudiantes. Las notificaciones también deberán proveer la dirección de la página internet donde está información puede ser accesada por el padre de familia o el guardián legal en línea www.muesd.net (Simbli) BP4219.21, E4219.21.

EC § 49010, et seq. – Cuotas Para Alumnos: Se requiere que el distrito establezca políticas referentes a la prestación de una educación gratuita a todo alumno. También se requiere que el distrito establezca políticas para presentar quejas por incumplimiento bajo esta sección usando los Procedimientos Uniformes de Quejas. Se deberá proporcionar anualmente a los alumnos, padres, tutores y a empleados un aviso de las políticas de cuotas del distrito y del proceso de presentación de quejas.

EC § 49014 – Cobro de Deudas al Alumno: Un alumnos o exalumno a menos que este emancipado al momento de la deuda incurrida, no deberá o ser le cobrará por una deuda que deba a la agencia educacional local (LEA).

Una LEA no tomara acción negativa en contra de un alumno o exalumno por una deuda, incluyendo, pero no limitado a todas las siguientes:

- Negarle crédito completo por cualquier asignatura de una clase;
- Negarle completa o igual participación en actividades del salón de clase;
- Negarle acceso al plantel o las instalaciones educativas, incluyendo, pero no limitado a la biblioteca;
- Negarle o retener calificaciones y transcripciones;
- Negarle o retener un diploma;
- Limitar o excluir de participar en actividades extracurriculares, club o deportes; y
- Limitar o excluir de participar en actividades educacionales, excursiones, u otras ceremonias escolares.

EC 49381 – Seguridad de los Alumnos: Recursos para la prevención del tráfico humano la junta directiva de un distrito escolar y el órgano de gobierno de una escuela autónoma trabajara para mantener desde el 6 al 12 grado, inclusive, para identificar los métodos mas apropiados para informar a los padres y tutores de los alumnos en esos grados de recursos de prevención del tráfico humano y para implementar los métodos identificados en esas escuelas para el 1 de enero de 2020.

EC § 49063 et seq. – Derechos Educativos de Familia y Acta de Privacidad (FERPA) – Archivos Escolares de los Alumnos: Las leyes federales y estatales conceden ciertos derechos de privacidad y derechos de acceso a los alumnos y a sus padres. El acceso completo de todos los archivos escritos personalmente identificables, mantenidos por el distrito escolar debe concederse a:

1. Los padres de alumnos de 17 años y menores.
2. Los padres de alumnos de 18 años y mayores si el alumno es un dependiente para propósitos de los impuestos.
3. Los alumnos de 16 años y mayores, alumnos de 14 años o mayores que son identificados sin vivienda y jóvenes sin acompañantes, o los alumnos que están inscritos en una institución de instrucción post secundaria (llamados “alumnos elegibles”).
4. Individuos que han completado y firmado una declaración jurada de autorización del cuidador.

Un padre, tutor o el alumno elegible puede repasar expedientes individuales haciendo una petición al director. Un padre, tutor o alumno elegible puede cuestionar al contenido de cualquier expediente del alumno. Una petición escrita debe ser presentada al Superintendente para corregir o quitar cualquier información que se alegue ser inexacta, una conclusión sin fundamento o inferencia personal; una conclusión o inferencia fuera del campo del área de aptitud del observador, no basado en la observación personal de la persona nombrada, engañosa o en violación de la privacidad u otros derechos del alumno. El Superintendente o la persona designada deberá reunirse con el padre/tutor o el alumno elegible y con el empleado que registro la información en cuestión y sostener o

negar las alegaciones. Si se sostienen las alegaciones, se dará una orden para que la información sea corregida, removida o destruida. Si se niegan las alegaciones, la decisión puede ser apelada por escrito a la Mesa Directiva en un plazo de treinta (30) días. La Mesa Directiva deberá reunirse en una sesión cerrada con el padre/tutor o el alumno elegible y con el empleado que registró la información en cuestión y sostener o negar las alegaciones. Si la Mesa Directiva sostiene las alegaciones, se pedirá que la información sea corregida, quitada o destruida. La decisión de la Mesa Directiva deberá ser determinante. Si la decisión final de la Mesa Directiva es desfavorable al padre/tutor, o si el padre/tutor acepta una decisión desfavorable del Superintendente, el padre/tutor tendrá el derecho de presentar una declaración escrita de las objeciones que serán parte del expediente del alumno hasta que la información en cuestión sea corregida o quitada.

Los distritos pueden proveer datos escolares, sin obtener previo consentimiento de los padres, a cualquier oficial o empleado escolar que tenga un interés educacional legítimo en el archivo escolar. Adicionalmente, los distritos pueden proveer información de los archivos del alumno a representantes autorizados de la Contraloría General de los Estados Unidos, la Secretaría de Educación y el jefe de administración de una agencia educativa, oficiales de educación estatales o sus designados respectivos, o la Oficina de Derechos Civiles de los Estados Unidos, donde la información es necesaria para auditoria o evaluación de un programa educacional apoyado por fondos estatales o federales o de acuerdo con leyes estatales o federales, siempre y cuando que, con la excepción de cuando la colección de información personal identificable es autorizada específicamente por ley federal, los datos coleccionados por estos oficiales serán protegidos de una manera que no permitirá la identificación personal de alumnos o sus padres por otras personas aparte de estos oficiales, y datos personalmente inidentificables serán destruidos cuando ya no sean necesarios para la auditoría, evaluación y aplicación de los requisitos federales legales. Los distritos escolares también podrán proveer información de los archivos del alumno a organizaciones que conducen estudios para o en nombre de agencias o instituciones educacionales para el propósito de desarrollar, validar o administrar pruebas de predicción, administrar programas de ayuda para alumnos, y mejorar la instrucción, si los estudios se conducen de una manera que no permite la identificación personal de los alumnos o sus padres por personas que no sean los representantes de dichas organizaciones y la información será destruida cuando ya no sea necesaria para el propósito para el cual se obtuvo.

Los padres o alumnos elegibles pueden recibir una copia de cualquier información en los archivos a un costo razonable por página. Las políticas y procedimientos del distrito relacionados con tipos de archivos, de la clase de información conservada, de personas responsables de los archivos, acceso de información del directorio por otras personas, la revisión y la disputa de archivos están disponibles a través del director en cada escuela. Cuando un alumno se traslada a un distrito nuevo, los expedientes serán remitidos a petición del distrito escolar nuevo dentro de diez días. A la hora de la transferencia el padre (o alumno elegible) puede repasar, recibir una copia (a un costo razonable), y/o cuestionar los archivos.

Si usted cree que el distrito no esta en conformidad con las regulaciones federales con respecto a la privacidad, los padres y alumnos elegibles pueden presentar una queja con el Departamento de Educación de los Estados Unidos con respecto a la alegación de incumplimiento por el distrito de los requisitos de FERPA. El nombre y el domicilio de la oficina que administra FERPA son:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

Usted tiene el derecho de inspeccionar todo el material de instrucción que se usara en conexión con cualquier encuesta, análisis o evaluación de cualquier programa aplicable.

EC § 49073 – Derechos Educativos de Familia y Acta de Privacidad (FERPA) – Entrega de Información del Directorio:

- A. El distrito puede dar las siguientes categorías de información con respecto a cualquier alumno o alumno anteriormente inscrito excepto que no se dará información del directorio cuando un padre o alumno elegible ha notificado al distrito escolar que la siguiente información no debe ser dada:
- Nombre y domicilio
 - Numero de teléfono
 - Campo principal de estudio
 - Participación en actividades y deportes oficialmente reconocidos
 - Peso y estatura de los miembros de equipos atléticos
 - Fechas de asistencia
 - Títulos y premios recibidos
 - La escuela publica o privada mas reciente a la cual el alumno asistió
- B. No se le dará ninguna información del directorio a entidades de beneficios privados con excepción de patrones o futuros patrones y representantes de los medios de noticias, incluyendo, pero no limitado a, los periódicos, revistas, y a las estaciones de la radio y la televisión. Los nombres y domicilios de los alumnos inscritos en el grado 12 o quienes hayan terminado la inscripción antes de la graduación pueden ser proporcionados a una escuela privada o a una universidad. Sin embargo, tal escuela privada o universidad no utilizará esa información para otros propósitos que no estén relacionados directamente con las metas académicas o profesionales de la institución. No se proveerá información del directorio de cualquier alumno si el padre ha notificado al distrito escolar que esa información no deberá ser compartida. El distrito puede, a su discreción, limitar o negar dar categorías específicas de la información del directorio a cualquier organización pública o privada no lucrativa basada en una determinación de los mejores intereses de su(s) alumno(s).
- C. La ley federal requiere que, por petición, el distrito proporcione los nombres, los domicilios y los números de teléfono de los alumnos de la escuela secundaria a los reclutadores Militares de los Estados Unidos y a las instituciones de más alto aprendizaje. El Distrito debe dar esta información, a menos que un alumno o el padre/tutor notifique al distrito por escrito, en un plazo de treinta (30) días de haber recibido esta notificación, que el distrito no deberá dar esta información sin el consentimiento previo por escrito.

EC § 49073.6 Archivos de Alumnos – Redes Sociales: Los distritos escolares que consideren un programa para reunir o mantener en sus archivos cualquier información obtenida de las redes sociales de cualquier alumno matriculado deberá notificar a los alumnos y a sus padres o tutores sobre el programa propuesto y proveer una oportunidad para comentarios del público en una junta publica programada regularmente de la mesa directiva. Para cada distrito escolar que adopta tal programa, el distrito escolar deberá notificar a cada padre o tutor del alumno sujeto al programa que la información del alumno está siendo reunida de las redes sociales y el proceso para destruir tal información dentro de un año después de que el alumno cumpla 18 años o dentro de un año después de que el alumno ya no está matriculado en el distrito escolar, cualquiera que ocurra primero.

EC § 49091.10 – Acta de Empoderamiento Educativo de 1998: El Acta de Empoderamiento Educativa de 1998 establece varios derechos para los padres o tutores, además de otros derechos identificados en este aviso. Sus derechos como padre o tutor y los derechos de sus hijos, incluyen lo siguiente:

1. Examinar los Materiales de Instrucción: Usted tiene el derecho de examinar todos los materiales de instrucción suplementales y las evaluaciones principales, incluyendo los libros de textos, los manuales de maestros, las películas, grabaciones de audio y video, y programas tecnológicos serán compilados y almacenados por el instructor del salón de clase y hechos disponibles rápidamente para su inspección en un plazo razonable o de acuerdo con los procedimientos determinados por la Mesa Directiva del distrito.
2. Observación de las Actividades Escolares: Usted tiene el derecho de observar la instrucción y otras actividades escolares que implican a su hijo/a de acuerdo con los procedimientos determinados por la Mesa Directiva del distrito para asegurar la seguridad de los alumnos y del personal de la escuela y para prevenir la interferencia indebida con la instrucción o el hostigamiento del personal de la escuela. La acomodación razonable de padres y tutores deberá ser considerado por la Mesa Directiva del distrito. A petición escrita por usted los oficiales de la escuela deberán organizar para su observación de la clase o las clases o las actividades solicitadas en un tiempo razonable y de acuerdo con los procedimientos determinados por la Mesa Directiva del distrito.
3. Consentimiento para Evaluaciones y Pruebas: Su hijo/a no podrá ser examinado para una evaluación de comportamiento, mental o emocional sin su consentimiento escrito informado.
4. Afirmación o Abdicación de Beneficios: Un alumno no podrá ser obligado a afirmar o a abdicar cualquier punto de vista personal o privado del mundo, la doctrina religiosa, o la opinión política. Esta ley no libera a los alumnos de ninguna obligación de terminar las tareas regulares del salón de clase.

EC § 49091.14 – Disponibilidad de Prospecto: Cada escuela debe crear un prospecto que incluya el currículo, incluyendo títulos, descripciones, y objetivos de instrucción de cada curso ofrecido. Los prospectos se compilarán al menos una vez al año y estarán disponibles a pedido de los padres o tutores.

ED § 49392 – Almacenamiento Seguro de Armas de Fuego: Dando inicio con el año escolar 2023-24, y cada año después de eso, una agencia de educación local que sirve a los alumnos de kinder o en cualquiera de los grados de 1 al 12, incluso deberá informar por el modelo contenido desarrollado por el departamento de conforme al a la sección 49391 incluir en la notificación anual conforme a la sección 48980 a los padres o guardians de los alumnos en kinder o en cualquiera de los grados 1 al 12, inclusive, información relacionada al almacenamiento seguro de armas. Padres y/o guardianes pueden ser sujeto a penalidades criminales por almacenar armas de fuego donde un niño tiene acceso al arma.

EC § 49403 – Inmunizaciones: A menos que el padre o tutor legal de un alumno provea a la escuela una exención aceptable firmada, el alumno debe ser vacunado contra ciertas enfermedades contagiosas. Se prohíbe a los estudiantes asistir a la escuela hasta que hayan satisfecho los requisitos de inmunización. El distrito escolar deberá cooperar con los oficiales de la salud locales en medidas necesarias para la prevención y el control de enfermedades contagiosas en los niños de edad escolar. El distrito puede usar cualesquier fondos, propiedad, o personal y puede permitir a cualquier persona con licencia tal como un médico o enfermera registrada que administre un agente inmunizante a cualquier estudiante cuyos padres hayan dado consentimiento por escrito.

Comenzando el 1 de enero de 2014, la exención firmada para eximir a un alumno de cumplir con requisitos de inmunización, deberá incluir un formulario prescrito por el Departamento Estatal de Salud Pública firmado por 1)

el médico del cuidado de la salud quien proveyó información al padre o tutor legal tocante a los beneficios y riesgos de la inmunización y los riesgos de las enfermedades contagiosas; y 2) el padre o tutor legal, indicando que él o ella recibió la información provista por el médico proveedor de cuidado de salud.

La ley estatal requiere las siguientes inmunizaciones antes que un niño(a) pueda asistir a la escuela:

1. Todos los estudiantes nuevos, en kínder transicional hasta el grado 12, deben proveer prueba de vacunas contra la polio, difteria, tosferina, tétano, sarampión, paperas, rubéola, varicela; y cualquier otra enfermedad que el departamento considere apropiada.
- 2.
3. Todos los estudiantes en kínder transicional y de kínder deben también proveer prueba de vacunas contra la hepatitis B.
4. Todos los estudiantes del séptimo grado deben también proveer prueba de una segunda vacuna contra el sarampión, paperas, rubéola, y un refuerzo contra la tosferina. Comenzando el 1 de julio de 2011, la autoridad gobernante deberá no admitir incondicionalmente o avanzar a cualquier estudiante al 7mo hasta el 12vo grado a menos que el alumno haya sido completamente inmunizado contra la tosferina, incluyendo todos los refuerzos contra la tosferina apropiados a la edad del alumno. [Código de Salud y Seguridad § 120365 (d)].

Si hay buena razón para creer que el alumno ha estado expuesto a una de las enfermedades contagiosas enumeradas en el Código de Salud y Seguridad § 120325, entonces el estudiante puede ser temporalmente excluido de la escuela hasta que el Oficial de Salud local este satisfecho de que el estudiante ya no está en riesgo de desarrollar la enfermedad. (Código de Salud y Seguridad § 120365).

EC § 49408 – Información de Emergencia: Para la protección de la salud y bienestar de sus hijos le pedimos que llene y regrese la Tarjeta de Información de Emergencia adjunta.

EC § 49414 – Tratamiento de Emergencia para Anafilaxis: Se requiere que los distritos escolares, oficinas de educación del condado, y escuelas subsidiadas provean auto inyectores de epinefrina de emergencia a las enfermeras escolares y personal entrenado y los autoriza que proveen asistencia médica de emergencia a personas que padecen o se cree razonablemente que están padeciendo de una reacción alérgica severa (anafilaxis) que amenaza su vida. Anafilaxis es una reacción alérgica severa y potencialmente amenazante a la vida que puede ocurrir después de entrar en contacto con un alérgico, tal como un alimento, medicina, picadura de insecto, látex o ejercicio. Los síntomas incluyen estrechamiento de las vías respiratorias, sarpullido o urticaria, náusea o vómito, pulso débil y mareos. Sin administración inmediata de epinefrina seguido por obtención de servicios de emergencia médicos, puede ocurrir la muerte. Cambios recientes al EC 49414 ahora requieren que los distritos escolares provean inyecciones auto- inyectables de epinefrina a las enfermeras escolares y al personal entrenado y los autoriza que usen las inyecciones autoinyectables para cualquier estudiante que pueda estar experimentando anafilaxis, sin importar del historial conocido.

EC § 49414.7 – Administración de Medicamento de Epilepsia: Si un alumno con epilepsia que ha sido prescrito en una emergencia un medicamento contra ataques de epilepsia por su proveedor de salud, el padre o guardián del alumno puede solicitar que uno o más empleados de la escuela reciban entrenamiento en la administración del medicamento contra ataques de epilepsia en el caso de que el alumno sufra un ataque cuando la enfermera no está disponible.

EC § 49423 – Instrucción para Medicamentos: Cualquier alumno que necesite tomar medicamentos prescritos en la escuela y que deseen la asistencia del personal de la escuela deberán entregar una declaración por escrito de

las instrucciones del médico, cirujano o asistente de médico y una petición de los padres para pedir ayuda con la administración de las instrucciones del médico, cirujano o asistente de médico. La política de la escuela requiere que cualquier alumno que traiga medicamentos a la escuela deberá tener instrucciones escritas respecto a su uso y deberá guardar el medicamento en la oficina de la escuela la cual puede ser administrada por un empleado designado. Cualquier estudiante puede llevar consigo y autoadministrarse epinefrina autoinyectable recetada solo si el estudiante presenta una declaración escrita de instrucciones del medico o asistente del medico y consentimiento de los padres por escrito que autoriza la autoadministración de medicamentos proporcionar una autorización para que la enfermera de la escuela u otro personal consulten con el proveedor de atención medica del niño cuando surjan preguntas y liberar al distrito y al personal de responsabilidad civil si el niño sufre alguna reacción adversa como resultado de la autoadministración de medicamentos.

EC § 49423.1 – Autoadministracion de Medicamentos Recetados para el Asma: El distrito escolar puede aceptar una declaración escrita proporcionada por un medico o cirujano que permita a los estudiantes autoadministrarse medicamentos para el asma. Una declaración escrita deberá detallar lo siguiente:

- 1) El nombre, metodo, cantidad y horarios en los que se tomara el medicamento.
- 2) Una confirmacion de que el estudiante puede autoadministrarse medicamentos para el asma inhalados
- 3) Una declaracion por escrito del padre, padres de crianza o tutor que da su consentimiento para la autoadministración.
- 4) Una autorización para que la enfermera de la escuela u otro personal escolar designado para consultar con el proveedor de atención medica del estudiante con respecto a cualquier pregunta que pueda sugerir sobre el medicamento.
- 5) Una exención de responsabilidad civil para el distrito escolar y personal de la escuela si el estudiante sufre una reacción adversa al tomar el medicamento.

La declaracion del medico o cirujano del estudiante puede ser uno que este contratado con un plan de salud prepago que opera en Mexico, siempre que la declaración este tanto en ingles como en español. Una enfermera de la escuela u otro personal escolar designado estará sujeto a una revisión profesional, responsable de una acción civil o sujeto a un proceso penal por actos o amisiones relacionadas con el estudiante se autoadministra el medicamento de acuerdo con la declaración escrita del medico. Además, un distrito escolar no estará sujeto a responsabilidades civiles si el estudiante sufre una reacción adversa al autoadministrarse el medicamento para el asma de acuerdo con la declaración escrita del medico.

EC § 49428 – Acceso para los Estudiantes de Servicios de Salud Mental: El distrito notificara a los alumnos y a los padres o guardianes de los alumnos no menos de dos veces en el año escolar como iniciar el acceso de disponibilidad de servicios de salud mental en el plantel o en la comunidad, o ambos.

EC § 49451 – Exención del Examen Físico: Un alumno es exento de todo examen físico siempre y cuando el padre o tutor presente anualmente una declaración por escrito al director de la escuela indicando que el padre o tutor no da su consentimiento para el examen fisico rutinario de su hijo/a. Sin embargo, siempre que exista una buena razón de creer que el alumno está padeciendo de una enfermedad reconocida contagiosa o infecciosa, el alumno será excluido de asistir a la escuela hasta que la enfermedad ya no exista o ya no sea contagiosa o infecciosa.

EC § 49452 – Examen de la Vista y de la Audición: La Mesa Directiva de cualquier distrito escolar deberá proporcionarle un examen de la vista y de la audición a cada alumno inscrito en las escuelas del distrito a menos que el padre someta por escrito una negación de consentimiento.

EC § 49452.5 – Examen de la Escoliosis: La Mesa Directiva de cualquier distrito escolar puede proporcionar un examen a cada alumno femenino en el grado 7mo y a cada alumno masculino en el grado 8vo para la condición conocida como escoliosis.

ED § 49452.6 – Información sobre la diabetes tipo 1. La información proporcionada por el Departamento de Educación de California relacionada con la diabetes tipo 1 está disponible para padres y tutores en: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>

EC § 49452.8 – Evaluación de la Salud Oral: Los distritos escolares deben notificar a los padres o tutores del requisito de que los alumnos matriculados en el kínder, o en primer año, si no previamente matriculados en kínder, presenten prueba de haber recibido una evaluación de salud oral como está especificado o llenar un formulario provisto por el distrito en el cual el padre/madre indique porque no puede ser efectuada una evaluación de la salud oral por un dentista titulado u otro profesional de la salud dental.

EC § 49455 – Evaluación de la Vista: Los alumnos que se inscriban por primera vez en un distrito escolar deberán recibir una evaluación de la vista. El alumno deberá tener su vista evaluada de nuevo por lo menos cada tercer año después hasta terminar el octavo grado. Los padres que deseen que su hijo/a sea eximido de este requisito deberán notificar al director de la escuela y proporcionar un certificado de un médico, cirujano, asistente de médico o un optometrista exponiendo los resultados de una determinación de la visión del niño, incluyendo la agudeza visual y visión de color. Este requisito no aplicará a los niños cuyos padres o el tutor presenta una declaración por escrito que se adhieren a la fe o la enseñanza de cualquier secta religiosa reconocida, la denominación, u organización y en conformidad con su credo, dogmas, o principios, dependiendo en la curación por oración en la práctica de su religión.

EC § 49471- Servicios Médicos y de Hospital para los Alumnos: El Distrito no provee servicios médicos o de hospital a través de membresía en corporaciones no lucrativas o pólizas de aseguranza para alumnos lesionados a causa de actividades relacionadas con la escuela.

EC § 49472 – Servicio Medicos Y de Hospital: Se le requiere al distrito notificar a los padres por escrito si no provee o hace disponibles servicios médicos y de hospital para los estudiantes que se lastimen durante participación en actividades atléticas. El distrito esta también autorizado a proveer servicios médicos y de hospital a través de membresías en corporaciones sin fines de lucro y en pólizas de aseguranza para estudiantes que se lastimen en actividades escolares.

EC § 49475 – Concusión y Lesiones en la Cabeza: Cada distrito escolar que ofrezca un programa atlético (aparte de la actividad atlética durante el día escolar regular o como parte de un curso de educación física) debe proveer al padre o tutor de cada alumno atleta una hoja de información sobre una “lesión en la cabeza o concusión”. La hoja debe ser firmada y regresada por el padre o tutor del atleta antes de que el atleta pueda participar en la práctica o competición.

H&SC § 124235: Atletismo Juvenile: Protocolos de Prevencion de Paro Cardiaco Repentino por Conmoción Cerebral: Cada organización deportiva juvenil deberá seguir protocolos específicos con respecto a las conmociones cerebrales y otras lesiones en la cabeza. Cualquier entrenamiento, campamento o

club de competencias deportivas de aficionados en los que participen personas de 17 años o menos debe seguir los protocolos de conmociones cerebrales y otras lesiones.

EC § 49480: El texto de esta sección requiere que los padres o tutores informen a la escuela si un alumno esta en un **PROGRAMA DE MEDICAMENTO CONTINUO** a continuación:

Medicamento Especial del Alumno – El padre o tutor legal de cualquier alumno de una escuela publica que este en un régimen medico continuo por una condición no episódica deberá informar a la enfermera de la escuela o a otro empleado designado certificado de la escuela del medicamento que esta siendo tomado, la dosis actual y el nombre del médico a cargo. Con el consentimiento de los padres o tutor, la enfermera de la escuela puede comunicarse con el médico y puede consultar con el personal escolar con respecto a los posibles efectos de la droga en el comportamiento físico, intelectual y social del alumno, así como también las posibles señales y síntomas de efectos adversos secundarios, de la omisión o de la sobredosis. El superintendente del distrito de la escuela será responsable de informar a los padres de todos los alumnos de los requisitos de esta sección.

EC § 49510-49520; 49564-49564.5, 49557.5 -Nutrición al Alumno: Alimentos gratis o a precio reducido estarán disponibles para los alumnos recipientes de asistencia pública. El Programa Federal Nacional de Alimentos de la Escuela y el programa federal de desayuno en la escuela asegura que los alumnos cuyos padres o guardianes que tienen deudas no pagadas en la escuela de cuotas de alimentos escolares no sean avergonzados, ni tratados diferente, o se les sirva un alimento diferente de las selecciones de los alumnos porque el padre o el guardián del alumno tiene cuotas no pagadas de alimentos. Los detalles del programa de comidas son proveídos en el plantel escolar del alumno. Todos los padres y guardianes reciben una carta en la solicitud de registración. Para que soliciten para alimentos gratis o de precio reducido, la casa tiene que llenar la solicitud y regresarla a la escuela o si es applicable: Algunas escuelas operadas por el DISTRITO pueden proveer desayuno y almuerzo a todos los alumnos libre de costo de conformidad con el programa universal de comida. Una lista de escuelas participantes está disponible en www.muesd.net.

EC § 49701, 51225.1, 51225.2 – Niños de Familia Militares y Otros Alumnos Protegidos: Un alumno que es un “niño de una familia militar” está definido como un niño de edad escolar o niños, registrados de kínder al doceavo grado, en la casa vivienda de un miembro en servicio activo. “Servicio activo” significa estatus de tiempo completo en el servicio de uniformado al Servicio de los Estados Unidos, incluyendo a los miembros de la Guardia Nacional y de la Reserva en servicio activo conforme a 10 U.S.C. secciones 1209 y 1211.

Los niños de familias militares que se transfieren entre escuelas en cualquier momento después de haber terminado el alumno el segundo año de escuela preparatoria será exento de todos los cursos y otros requerimientos de graduación adoptados por la mesa directiva gobernante de la agencia de educación local que son adicionales de los cursos requeridos en todo el estado a menos que la agencia educacional local recomiende que el niño de familia militar puede razonablemente completar los requerimientos de graduación de la agencia educacional local a tiempo para graduarse de la preparatoria al final del cuarto año de preparatoria.

Durante los primeros 30 días que un niño de familia militar se trasfiera a una escuela de una agencia educacional local se determinara ya sea que el niño de la familia militar puede razonablemente completar los requerimientos de graduación de la agencia educacional local dentro del quinto año de escuela preparatoria. Si el alumno puede razonablemente completar los requerimientos de graduación de la agencia educacional local dentro del quinto año de escuela preparatoria, la agencia educacional local hará lo siguiente:

1. Informar al alumno de su opción de permanecer en la escuela por un quinto año para completar los requerimientos graduación de la agencia educacional local.
2. Informar al alumno y al titular de los derechos educativos que permanecer un quinto año en la escuela para completar los requerimientos de graduación de la agencia educacional local afectara al alumno en la habilidad de ganar admisión a una institución educativa postsecundaria.
3. Proveer información al alumno de oportunidades de transferencia disponibles a través de los colegios comunitarios de California.
4. Permitir al alumno quedarse en la escuela por un quinto año para completar los requerimientos de graduación de la agencia educacional local en acuerdo con el alumno si el alumno tiene 18 años o mayor, o si el alumno es menor de 18 años, en acuerdo con el titular de los derechos educacionales.
Dentro de los 30 días del calendario de la fecha que el alumno que es un niño de una familia militar que puede calificar para la excepción de los requerimientos de graduación locales al transferirse a la escuela, el distrito escolar notificara al alumno y al padre o guardián del alumno de la disponibilidad de la excepción y si el alumno califica para la excepción.

Si el distrito falla en proveer notificaciones oportunas, el alumno será eligible a la excepción de los requerimientos de graduación local, aun cuando la notificación ocurra después que el alumno ya no cumpla con los requisitos definidos de “un niño de una familia militar.”

Si un niño de una familia militar es exento de los requerimientos de graduación local conforme a esta sección y a completa los cursos estatales requeridos antes de su cuarto año de escuela preparatoria y ese alumno de otra manera intitulado de permanecer asistiendo a la escuela, una escuela o agencia educacional local no requerirá o peticionara que el alumno se gradué antes del cuarto año de escuela preparatoria, ni el niño de una familia militar se le requerirá aceptar la excepción o se le negara la registración en cursos de los cuales es eligible.

Si un niño de una familia militar no está exento de los requerimientos de graduación o a previamente rechazado la excepción conforme a esta sección, una agencia educacional local hará la excepción al alumno en cualquier momento si una excepción es peticionada por el alumno y el alumno califica para la excepción. La excepción aplicara después que el alumno ya no cumple con la definición de “un niño de familia militar” mientras el alumno este registrado en la escuela o si el alumno es transferido a otra escuela o distrito escolar.

Una escuela no requerirá y un padre o guardián peticionará a un niño de una familia militar que se transfiera de escuela solamente para calificar al alumno para una excepción bajo esta sección.

La agencia educacional local aceptara cursos satisfactoriamente completados por un alumno que es un niño de una familia militar mientras asistía a otra escuela pública (incluyendo escuelas operadas por el Departamento de Defensa de los Estados Unidos), una escuela de jurisdicción juvenil, o una escuela no publica, escuela no sectaria, o agencia aun si el alumno no haya completado los cursos en su totalidad y emitido que el alumno tiene crédito completo o parcial por los cursos completados.

La agencia educación local no puede requerir a un niño de una familia militar retomar un curso si el alumno ha completado satisfactoriamente el curso completo en una escuela pública, una escuela de jurisdicción juvenil, o una no publica, una escuela o agencia no sectaria. Si el alumno no completo todo el curso, la

agencia educacional local no puede requerir al alumno retomar la porción del curso que el alumno completo a menos que la agencia educacional local en consulta con el titular de los derechos educacionales, encuentra que el alumno es razonablemente hábil para completar los requerimientos con tiempo para graduarse de la escuela preparatoria. Cuando crédito parcial es otorgado en un curso particular, el niño de una familia militar será registrado en un mismo curso o su equivalente, si es aplicable, así ese alumno puede continuar y completar el curso entero. Al alumno no se le previene de tomar o retomar un curso para cumplir los requisitos de elegibilidad para admisión a la Universidad Estatal o la Universidad de California.

Una queja de no conformidad con los requerimientos de esta sección puede ser llenada con la agencia educacional local bajo el Procedimiento de Uniformidad de Quejas presentada en el Capítulo 5.1(empezando con la sección 4600) de la división 1 de el Título 5 del código de regulaciones de California.

Un quejante no satisfecho con la decisión de la agencia educacional local puede apelar la decisión a CDE y recibirá una decisión por escrito acerca de la apelación dentro de 60 días de que CDE haya recibido la apelación.

Si la agencia educacional local encuentra merito en una queja, o el superintendente encuentra merito en una apelación, la agencia educacional local proveerá un remedio al alumno afectado.

Las protecciones anteriormente mencionadas también aplicaran a los alumnos en orfanatos, alumnos que son indigentes, exalumnos de escuela de jurisdicción judicial, niños migrantes, y alumnos que participan en un programa de recién llegados, como es definido en el código de educación sección 51225.2 (a).

EC § 51101 -El Derecho de los Padres o Guardianes a Información: Los Padres o guardianes de los alumnos registrados en escuelas públicas tienen derecho y deberán tener la oportunidad, como socio mutuo de ser apoyado y respetado en la educación de sus niños dentro de las escuelas públicas, de ser informados por la escuela, y de participar en la educación de sus niños, de la manera siguiente:

- Dentro de un periodo razonable de tiempo después de haber hecho una petición, para observar el salón o salones en la cual su niño está registrado o por el propósito de seleccionar la escuela en la cual su niño asistirá conforme a las pólizas o programas de intra-distrito o interdistrital.
- Dentro de un tiempo razonable de su petición, de reunirse con el maestro de su niño o maestros y el director de la escuela en la cual su niño está registrado.
- Voluntariar su tiempo y recurso para el mejoramiento de las instalaciones de la escuela y los programas de la escuela bajo la supervisión de los empleados del distrito, incluyendo, pero no limitado a, proveer asistencia en el salón de clase con aprobación y bajo la directa supervisión del maestro. Aunque los padres voluntarios pueden asistir con instrucción, la responsabilidad primaria de instrucción es la responsabilidad y reside con el maestro.
- Notificar con tiempo suficiente si el niño está ausente de la escuela sin permiso.
- Recibir los resultados de su niño en la actuación en los exámenes estandarizados y exámenes estatales e información de la actuación en los exámenes a nivel estatal de la escuela que su niño asiste.
- Peticionar una escuela particular para su niño y recibir una respuesta del distrito escolar. Este párrafo no obliga al distrito escolar de conceder la petición del padre.
- Tener un ambiente escolar en el que su niño este seguro y apoye el aprendizaje.
- Examinar los materiales del currículo de la clase o clases en la cual su niño está registrado.
- Estar informados del progreso de su niño en la escuela y del personal escolar apropiado que necesitan contactar si un problema surge con el niño.

- Tener acceso a los archivos escolares de su niño.
- Recibir información acerca de las actuaciones en los estándares académicos, competencias, o habilidades que se espera que su niño logre.
- Ser informado con anticipación acerca de las reglas, incluyendo reglas disciplinarias y reglas y procedimientos, pólizas de asistencia, código de vestimenta, y procedimientos para visitar a la escuela.
- Recibir información acerca de cualquier examen psicológico que la escuela hace que involucre a su niño y poder negar permiso a dar el examen.
- Participar como miembro de un comité de concilio de padre, concilio escolar, o un equipo de liderazgo del plantel administrativo, de acuerdo con cualquier reglas y regulaciones que gobierna la membrecía en estas organizaciones. Con el fin de facilitar la participación del padre, los concilios de los planteles escolares se les anima a tener bianuales fórums abiertos con el propósito de informar a los padres acerca de los problemas más recientes y de las actividades y para contestar las preguntas de los padres. Las juntas deberán ser programadas los fines de semana, y aviso previo se les proveerá a los padres.
- Para cuestionar cualquier registro de su niño que el padre siente que es incorrecto o se presta a mala interpretación o es una invasión de su privacidad y para recibir una respuesta de la escuela.
- Ser notificada, tan pronto posible en el año escolar prácticamente conforme a EC 48070.5, si su hijo es identificado de alto riesgo de retención de su derecho de consultar con el personal de la escuela responsable de la decisión de promover o retener a su niño y de apelar la decisión de promover o retener de su niño. Los padres y guardianes de los alumnos incluyendo esos padres y guardianes cuya primera lengua no es el inglés, tendrán la oportunidad de trabajar juntos en mutuo apoyo y una asociación respetuosa con las escuelas, y ayudar a sus niños a ser exitosos en la escuela. Cada mesa directiva gobernante de un distrito escolar desarrollaran junto con los padres y guardianes, y adoptaran una póliza que delimite la manera en la cual los padres o guardianes de los alumnos, personal de la escuela, y los alumnos pueden compartir las responsabilidades para continuar el desarrollo intelectual, físico, emocional y social y el bienestar de los alumnos en cada sitio escolar.
- La póliza incluirá, pero no está necesariamente limita a lo siguiente:
 1. El medio por el cual la escuela y los padres y guardianes de los alumnos pueden ayudar a los alumnos a lograr académicas u otros estándares.
 2. Una descripción de las responsabilidades de la escuela de proveer un currículo de alta calidad y programas de instrucción en un ambiente efectivo y de apoyo que permite a todos los alumnos cumplir las expectativas académicas de la escuela.
 3. La manera en la cual los padres y guardianes de los alumnos pueden apoyar el ambiente de aprendizaje de sus niños, incluyendo, pero no limitado a lo siguiente:
 - a) Monitorear la asistencia de sus niños.
 - b) Asegurarse que la tarea se complete y se entregue a tiempo.
 - c) La participación de sus niños en actividades extracurricular.
 - d) Monitorear y regular a sus niños en la vista de televisión.
 - e) Trabajando con sus niños en el hogar en el aprendizaje de actividades que extienda el aprendizaje en el salón de clase.
 - f) Voluntarear en el salón de sus niños o en las actividades de la escuela.
 - g) Participando, como sea apropiado, en las decisiones relacionadas en la educación de su propio niño o en el total programa escolar.

EC § 51225.8 – Información de Terminación de las Solicitudes para Ayuda Financiera para los Estudiantes: Empezando con el año escolar 2020-21, el cuerpo de la mesa directiva gobernante del distrito escolar y escuelas chárter deben asegurarse de que cada estudiante, por lo menos antes que el alumno entre al

grado 12, reciba información de como completar apropiadamente y someter ya sea una solicitud gratis para Ayuda Financiera Federal (FAFSA) o solicitud a la ley de California Dream. Una copia de la solicitud de FAFSA o de la ley de California Dream se le proveerá al alumno o al padre/guardián bajo petición.

La información proveída en la notificación incluirá, pero no necesariamente está limitada a los siguientes materiales:

1. El tipo de documentación e información personal que cada alumno requiere en la solicitud de ayuda financiera, incluyendo, pero no necesariamente se limita a documentos relacionados con los impuestos, ingresos, selección de colegios, estatus académico, e identificación personal como el seguro social, o número de identificación de impuestos.
2. Una explicación de las definiciones usadas en cada solicitud, tales como “tutoría legal,” “numero en la vivienda” “padre,” “dependiente,” y “subsídios y becas colegiales con impuesto”
3. Requerimientos de elegibilidad financiera para estudiantes que pueden aplicar por usar la solicitud a FAFSA o la ley de California Dream
4. Las fechas de entrega para someter las solicitudes
5. La importancia de entregar/someter las solicitudes pronto, especialmente cuando un estudiante es galardonado en base al que primero entregue la solicitud.

La manera en la cual esta información es proveída será a la discreción de la mesa directiva gobernante del distrito escolar o escuela chárter.

EC § 51225.3, 51229 – Requisitos de Admisión a la Universidad e Información de la Educación Superior:

Adjunto con este aviso se encuentra una hoja informativa que contiene información de educación superior y requisitos de admisión a la Universidad. Información adicional sobre la elegibilidad del estudiante, admisión y asistencia a las instituciones de enseñanza postsecundarias pueden encontrarse en el sitio web del Consejo de la P-16: <http://www.ivmesaprogram.org/highschool101.html>. Si un distrito escolar elige permitir un curso de educación técnica profesional para satisfacer el requisito de graduación de artes escencias visuales o de idiomas extranjeros, el distrito escolar proporcionara información sobre los requisitos de graduación de la escuela secundaria del distrito escolar y como cada requisito satisface o no los requisitos de la materia para la admisión a la Universidad Estatal de California y la Universidad de California y cuáles de los requisitos específicos de admisión a la universidad satisfacen estos cursos.

EC § 51240 – Instrucion de Salud / Conflictos Con Creencias Y Entrenamiento Religiosos: Por petición en escrito del padre, los estudiantes serán justificados de cualquier parte de la instrucción de salud que conflictúa con creencias o entrenamiento religioso de un padre.

EC § 51512 – Dispositivo Electrónico de Audio o de Grabación: El Distrito escolar puede notificar a los padres y tutores que el uso por cualquier persona, incluso un alumno, de cualquier dispositivo audio o de grabación electrónico en un salón de clases sin el consentimiento previo del maestro(a) o del director de la escuela está prohibido. Cualquier persona, aparte del alumno, intencionalmente en violación será culpable de un delito menor. Cualquier alumno en violación estará expuesto a los procedimientos disciplinarios del distrito escolar.

EC § 51513 – Encuesta sobre las Creencias Personales: A menos que se reciba el permiso de los padres por escrito, ningún alumno deberá ser dado examen alguno, cuestionario, encuesta, o examinación que contenga preguntas sobre las creencias personales del alumno o de sus padres o tutor, sobre las prácticas de sexo, vida

familiar, moralidad o religión. Se dará a los padres una notificación previa por escrito. (También refiérase a EC § 60614)

EC § 51930-51938 – Educación de Salud Sexual y de la Prevención de HIV/SIDA: Los padres / tutores deberán ser notificados de la educación exhaustiva de salud sexual y prevención del HIV/SIDA planeada para el año. Los padres y tutores pueden solicitar por escrito que sus hijos no reciban educación exhaustiva de salud sexual o de la prevención de HIV/SIDA. El distrito escolar puede proporcionar educación comprensiva de salud sexual o educación de la prevención de HIV/SIDA que sea provista por consultores que no pertenecen al distrito y el distrito puede llevar a cabo una asamblea para ofrecer esta educación. Si el distrito elige cualquiera de estos métodos, debe proporcionar un aviso a los padres que incluya la fecha de la instrucción, el nombre de la organización o el orador invitado y la información que indique el derecho de los padres/tutores de solicitar una copia de las secciones pertinentes del Código de Educación. Si se toman medidas para esta educación después de que el año escolar haya comenzado, el distrito deberá proporcionar un aviso por correo u otros métodos de notificación comúnmente usados no menos de 14 días antes de la instrucción.

Se requiere que los padres sean notificados por escrito antes de cualquier instrucción o clase en las cuales se describen, se ilustran o se discuten los órganos reproductivos humanos y su función o procesos. Los materiales que sean utilizados pueden ser revisados antes de la instrucción. Los padres pueden solicitar que su hijo/a no asista a los cursos de educación sexual.

Se aconseja a los padres o tutores lo siguiente:

(1) Los materiales educativos escritos y audiovisuales utilizados en la educación integral sobre salud sexual y la educación para la prevención del VIH están disponibles para su inspección.

(2) Si la educación integral sobre salud sexual o la educación para la prevención del VIH será enseñada por el personal del distrito escolar o por consultores externos. Si los arreglos para esta instrucción por parte de consultores se hacen después del comienzo del año escolar, la notificación se hará por correo u otro método de notificación de uso común, no menos de 14 días antes de la entrega de la instrucción.

(3) El padre tiene derecho a solicitar una copia del Código de Educación de la Ley de Juventud Saludable de California, sección 51930, et. seq.

(4) El padre o tutor tiene derecho a excusar a su hijo de recibir educación integral sobre salud sexual y educación para la prevención del VIH y que para excusar a su hijo deben presentar su solicitud por escrito al distrito escolar.

Un distrito escolar puede proporcionar instrucción opcional, como parte de la educación integral sobre salud sexual y la educación para la prevención del VIH, con respecto a los posibles riesgos y consecuencias de crear y compartir materiales sexualmente sugerentes o explícitos a través de teléfonos celulares, sitios web de redes sociales en el Internet, redes informáticas o otros medios digitales.

El distrito puede administrar a los alumnos de los grados 7 a 12, inclusivos, anónimos, voluntarios y herramientas de investigación y evaluación confidenciales para medir los comportamientos y riesgos de salud de los alumnos. Incluyendo pruebas cuestionarios y encuestas que contienen preguntas apropiadas para la edad sobre las actitudes o prácticas de los alumnos con respecto al sexo. Se notificará a los padres o tutores

por escrito que se administrara esta prueba, cuestionario o encuesta y tienen derecho a revisar la prueba, cuestionario o encuesta, si envían una solicitud por escrito al distrito escolar o completan el formulario de exclusión incluido en esta notificación anual.

EC § 52173 Educación Bilingüe: El distrito notificara a los padres o guardianes de los alumnos que van a ser registrados en un programa de educación bilingüe. La notificación contendrá una simple descripción del programa, informara a los padres o guardianes que ellos tienen derecho y se les anima a visitar la clase en la cual sus alumnos serán registrados y tener una conferencia en la escuela que explicara el propósito de tal educación, y que ellos tienen derecho de no registrar a sus alumnos en el programa. La notificación será en Inglés y en el idioma primario del alumno.

EC § 56043 (n) Educación Especial: Inspección de Registros: Por petición, los padres o guardianes de niños con necesidades excepcionales pueden examinar y recibir copias de los registros del estudiante dentro de cinco días después que la petición es hecha y antes que cualquier junta para un programa de educación individualizada, audiencia o sesión de resoluciones de su niño.

EC § 56301 – Sistema de Búsqueda de Niños: Cada distrito, área de plan local de educación especial u oficina de Educación del condado deberá establecer por escrito políticas y procedimientos para un sistema de búsqueda de niños continuo el cual trate las relaciones entre la identificación, investigación, referencia, evaluación, planeación, implementación, revisión y evaluación trienal. Las políticas y procedimientos deberán incluir una notificación por escrito a todos los padres de sus derechos bajo este capítulo y el procedimiento para iniciar una referencia para una evaluación para identificar a individuos con necesidades excepcionales.

EC § 56300, 56301, 56302 & 56329 – Evaluación para Necesidades de Educación Especial: Los padres tienen el derecho de iniciar una referencia por escrito para la evaluación de la identificación de alumnos (de 0-21 años) que puedan necesitar una evaluación para servicios de educación especial o acomodación bajo la Sección 504 del Acta de Rehabilitación de 1973. Si los padres están en desacuerdo con los resultados de evaluación del distrito, ellos tienen el derecho a solicitar una evaluación educacional independiente del distrito a costas del público. Los padres que estén en desacuerdo con la identificación, colocación, servicios o alojamiento para los estudiantes pueden apelar mediante un proceso de audiencia.

Si el distrito escolar observa a su hijo/a en su salón de clase durante una evaluación o si al distrito escolar se le ha permitido observar a su hijo/a, también se le deberá permitir a un individuo que conduce la evaluación educativa independiente observar a su hijo/a en el salón de clase. Si el distrito escolar propone una nueva colocación para su hijo/a y se esta conduciendo una evaluación educativa independiente, el asesor independiente deberá ser permitido observar la nueva colocación propuesta.

Si usted coloca unilateralmente a su hijo/a en una escuela no pública y usted propone que la colocación en la escuela no pública sea financiada públicamente, se le deberá dar al distrito escolar la oportunidad de observar a su hijo/a en la colocación propuesta.

EC § 51225.2, 56365, 56366.1, 56366.4, 56366.10 – Educación Especial: Escuelas o agencias no Públicas, No Sectarias:

Capacitacion NPSs/NPAs

Se requiere que el NPA o NSP documente la capacitación del personal que tendrá contacto o interacción con los estudiantes durante el día escolar en el uso de practicas e intervenciones basadas en evidencia específicas para las necesidades de comportamiento únicas de la población estudiantil de NPS/NPA. La capacitación debe brindarse dentro de los 30 días posteriores a la inscripción del nuevo personal y anualmente a todo el personal que tiene contacto con los estudiantes durante el día escolar. La capacitación será seleccionada y conducida por el NPS/NPA y debe satisfacer las siguientes condiciones:

1. Ser realizado por personas con licencia o certificación en campo de estudio relacionados con las practicas e intervenciones basadas en evidencia que se enseñan
2. Ser enseñado de manera consistente con el desarrollo y la implementación de programas de educación individualizados; y
3. Ser consistente con los requisitos del Código de Educación relacionados con la restricción y el aislamiento de los alumnos

El contenido de la capacitación incluirá, entre otros, todo lo siguiente:

1. Intervención y apoyos conductuales positivos, incluida la colección, el análisis y el uso de datos para informar, planificar e implementar apoyos conductuales;
2. Cómo comprender y abordar los comportamientos desafiantes, incluidas las estrategias basadas en evidencia para prevenir esos comportamientos; y
3. Intervenciones basadas en la evidencia para reducir y reemplazar los comportamientos desafiantes, incluidas las técnicas de desescalamiento.

La LEA que contrata con el NPS/NPA deberá verificar anualmente el cumplimiento de estos requisitos de capacitación y el NPS/NPA deberá informar anualmente a el Departamento de educación de California (“CDE”) esta verificación. Los registros escritos de la capacitación anual se mantendrán y se proporcionarán a pedido.

Credencial / Licencia de Administrador NPS/NPA

El NPS/NPS debe documentar (en la solicitud de certificación con el CDE) que el administrador del NPS/NPA tiene o esta en proceso de obtener uno de los siguientes:

1. Una credencial administrativa otorgada por una institución de educación postsecundaria acreditada y dos años de experiencia con estudiantes con discapacidades.
2. Una credencial de servicios personales del alumno y autoriza la consejería o psicología escolar.
3. Una licencia como trabajador social clínico emitida por la Junta de Ciencias del Comportamiento.
4. Una licencia en psicología regulada por la Junta de Psicología.
5. Una maestría emitida por una institución postsecundaria acreditada en educación, psicología, asesoramiento, análisis del comportamiento, trabajo social, ciencias del comportamiento o rehabilitación
6. Una credencial que autoriza la instrucción en educación especial y al menos dos años de experiencia en la enseñanza en educación especial antes de convertirse en administrador.
7. Una licencia como terapeuta matrimonial y familiar certificado por la Junta de Ciencias del Comportamiento
8. Una licencia como psicólogo educativo emitida por la Junta de Ciencias del Comportamiento; o
9. Una licencia como consejero clínico profesional emitida por la Junta de Ciencias del

Comportamiento.

NPS/NPA Notificación de Participación de las Fuerzas del Orden

Se requiere que NPS/NPA notifique al CDE y a la LEA de cualquier incidente relacionado con el estudiante involucrado con el NPS/NPA en el que se contacto a la policía.

Individuo Calificado de NPS/NPA para Implementar un Plan de Intervención Conductual (“BIP”) NPS/NPA

Un NPS que atiende a estudiantes con necesidades de comportamiento importantes o que tienen un BIP debe tener un individuo en el sitio durante el horario escolar que este calificado y responsable del diseño, planificación e implementación de intervenciones conductuales que serán certificadas por el CDE.

Requisitos para LEA

Para un NPS/NPA que busca la certificación inicial, la LEA debe verificar que el plan y el cronograma para los nuevos requisitos de capacitación estén incluidos en el contrato maestro. Para NPS/NPA que no existen a partir del 1 de enero inmediatamente anterior al año escolar, la LEA verifica que los nuevos requisitos de capacitación se cumplan 30 días después del comienzo del año escolar. La LEA debe enviar la verificación al Superintendente en ese momento.

Una LEA que celebre un contrato maestro con una escuela NPS/NPA deberá realizar, como mínimo, lo siguiente:

1. Una visita en el sitio al NPS/NPA antes de la colocación de un alumno si la LEA no tiene ningún alumno inscrito en la escuela en el momento de la colocación.
2. Al menos una visita de monitoreo en el sitio durante cada año escolar al NPS/NPA a la que la LEA tiene un alumno que asiste y con el que mantiene un contrato maestro. La visita de monitoreo incluirá, pero no se limitará a:
 - a. Una revisión de los servicios proporcionados al alumno a través del acuerdo de servicio individual entre la LEA y NPS/NPA.
 - b. Una revisión del progreso que el alumno está haciendo hacia las metas establecidas en el Programa de Educación individualizado del alumno.
 - c. Una revisión del progreso que el alumno está haciendo hacia las metas establecidas en el BIP del alumno si el alumno tiene un BIP.
 - d. Una observación del alumno durante la instrucción; y
 - e. Un recorrido por las instalaciones
3. La LEA informará los hallazgos resultantes de la visita de monitoreo al CDE dentro de los 60 días posteriores a la visita en el sitio. El 30 de junio 2020 o antes, el CDE deberá contar con la opinión de los administradores del área del plan local crear y publicar criterios para reportar esta información al departamento.

EC § 56500.2 Educación Especial: Quejas: Los padres o guardianes tienen derecho a presentar una queja por escrito con la escuela si ellos creen que la escuela está en violación de leyes federales o estatales que gobiernan la

identificación o colocación de los estudiantes de educación especial, o problemas similares. Las regulaciones estatales requieren que el partido quejante que presente una copia de la queja al distrito a la misma vez que el partido quejante presenta la queja al departamento de educación de California. Los procedimientos están disponibles en el edificio del director.

EC § 56502 -Educación Especial: Audiencias del Debido Proceso Legal: Se le requiere al superintendente estatal que desarrolle una forma modelo que asista a los padres y guardianes en como llenar los requisitos del debido proceso legal. La forma modelo para padres que desean audiencias para iniciar el debido proceso legal esta disponible <https://www.dgs.ca.gov/OAH/Case-Types/Special-Education/Forms/Request-for-Mediation-and-Due-Process-Hearing-Form?search=due%20process>.

EC § 58501 – Aviso de Escuelas Alternativas: Las leyes estatales de California autorizan a todos los distritos escolares que proporcionen escuelas alternativas. Sección 58500 del Educación Código Define una escuela alternativa es una escuela o un grupo de clases separado dentro de una escuela cuyo funcionamiento esta diseñado para:

- a. Maximizar la oportunidad para que los alumnos desarrollen los valores positivos de auto confianza, iniciativa, bondad, espontaneidad, ingenio, valentía, creatividad, responsabilidad y gozo.
- b. Hay que reconocer que el mejor aprendizaje ocurre cuando el alumno aprende debido a su deseo de aprender.
- c. Mantener una situación de aprendizaje que maximice la auto motivación y anime a los alumnos para que en su tiempo personal sigan sus propios intereses. Estos intereses pueden ser concebidos por el/ella total e independientemente o pueden ser el resultado total o en parte de una presentación por parte de su maestro o por la elección de proyectos de aprendizaje.
- d. Maximizar la oportunidad para que los maestros, padres y alumnos desarrollen en forma cooperativa el proceso de aprendizaje y el tema de materia. Esta oportunidad deberá ser un proceso continuo y permanente.
- e. Maximizar la oportunidad de los alumnos, maestros y padres para que reaccionen continuamente ante un mundo que está cambiando, incluyendo, pero no limitado a la comunidad en la cual esta situada la escuela.

En caso de que cualquier padre, alumno o maestro esté interesado en obtener mas información respecto a las escuelas alternativas, el Superintendente de Escuelas del Condado, la oficina administrativa de este distrito y la oficina del director en cada unidad de asistencia tienen copias disponibles de la ley para su información. Esta ley autoriza de manera particular a las personas interesadas que soliciten a la Mesa Directiva del distrito que establezcan programas de escuelas alternativas en cada distrito.

EC § 52052, 60640- Evaluación del desempeño y progreso académico del Estudiante en California: El sistema de evaluación del desempeño y progreso del estudiante en California (CAASPP) fue establecido el 1 de junio del 204. Empezando con el año escolar 2014-15, EL Sistema CAASPP incluye el resumen de evaluación Smarter Balance en inglés y matemáticas, en grados tres al ocho y once, y evaluaciones alternantes en inglés y matemáticas, en grados tres al ocho y once para estudiantes con significantes discapacidades cognitivas. EL CST para ciencia es requerido para todos los estudiantes en grados cinco, ocho, y una vez en la escuela secundaria, a menos que el IEP del estudiante indique la administración del CMA o CAPA. Un examen opcional basado en los estándares en español para la lectura/lenguaje en grados dos al once, para aprendices de inglés de habla española que ya sea reciben instrucción en el idioma primario o se han registrado en una escuela en los Estados Unidos por menos de doce meses, se pueden administrar bajo discreción del distrito.

34 CFR § 200.36, 200.37, 200.38 – Mejoría de la Escuela: Los padres y tutores deberán ser notificados acerca de las escuelas identificadas para ser mejoradas y las acciones tomadas para mejorar las escuelas.

40 CFR § 763.93 – Asbestos: Un plan completo actualizado de manejo y de materiales que contienen asbestos en los edificios de las escuelas está disponible a petición para los padres, maestros y organizaciones de empleados.

Acta Ningún Niño se Quedará Atrás, 20 USCA § 6311(h) (6) (A): Los padres y tutores tienen el derecho de solicitar y de recibir información con respecto a la capacidad profesional de los maestros del salón de clase de sus hijos. A principio de cada año escolar la agencia educativa local que recibe fondos bajo esta sección debe notificar a los padres de cada alumno que asiste a cualquier escuela que recibe estos fondos, que los padres pueden solicitar, y la agencia proporcionara a los padres al ser solicitada (y de una manera oportuna) información con respecto a la capacidad profesional de los maestros del salón de clase de los alumnos, incluyendo, por lo menos lo siguiente:

1. Si el maestro/a ha cumplido con el criterio de acreditación y licencias del Estado para los niveles de grado y materias en los cuales el maestro/a proporciona la instrucción.
2. Si el maestro/a está impartiendo enseñanza bajo una credencial de emergencia u otro estado provisional; la cual se ha prescindido del criterio de cualificación o de licencias del estado.
3. El título principal de bachillerato del maestro/a y cualquier otra certificación o credencial de graduado obtenido por el maestro/a, y el campo de la disciplina de la certificación o credencial.
4. Si el alumno es proporcionado servicios por un ayudante de un profesional y, si es así, sus cualificaciones.

**La ley NCLB ha sido reemplazada por la Ley Cada Estudiante Triunfa (ESSA), reglamentos serán liberados posteriormente.*

Acta Ningún Niño se Quedará Atrás, 20 USCA § 6311(h) (6) (B) – Nivel del Logro del Alumno: El Distrito deberá proporcionar a los padres y tutores información acerca del nivel del logro de sus hijos en cada una de las evaluaciones académicas requeridas del estado, y si aplica, notificación puntual que el niño de este padre ha sido asignado o ha sido enseñado por cuatro semanas consecutivas o más por un profesor que no está altamente cualificado. **La ley NCLB ha sido reemplazada por la Ley Cada Estudiante Triunfa (ESSA), reglamentos serán liberados posteriormente.*

EC § 69432.9 Programa de Subvención Cal: El Distrito escolar deberá notifique a todos de alumnos matriculados en el grado 11 que se les considerará solicitantes para la Subvención Cal, a menos que el alumno específicamente elige no participar en estas notificaciones. Un promedio de los grados para cada alumno será enviado electrónicamente para todos los alumnos del 11vo grado que están de acuerdo con ser solicitantes. El aviso escrito será provisto a todos los alumnos del 11vo grado y, para el alumno menor de 18 años de edad, a su padre o tutor, para el 1 de enero del año del 11vo grado. Este aviso escrito deberá especificar el proceso de selección de no participar dentro de un periodo de tiempo especificado por el aviso, que no será menos de 30 días. Este aviso indicará también cuando la escuela enviará los promedios de grados a la comisión.

20 USCA § 7012 (a) – Aprendices del Idioma Ingles: El distrito notificará a los padres y tutores de alumnos limitados en el idioma inglés a no más tardar treinta (30) días después del principio del año escolar de la siguiente información.

1. La razón de la identificación del alumno competente en el idioma inglés.
2. El nivel de competencia en ingles del alumno, como el alumno fue evaluado y el estado del logro académico del alumno.
3. Métodos de instrucción usados en todos los programas disponibles para la competencia del idioma inglés.
4. Cómo el programa en el cual el alumno participa satisfará sus necesidades.

5. Cómo el programa ayudará al alumno a aprender inglés y a cumplir los estándares del logro académico.
6. Los requisitos para el egreso para el programa y la tasa de graduación esperada de la escuela secundaria para tal programa.
7. En el caso de un estudiante con una discapacidad, como el programa cumple los objetivos del IEP.
8. El derecho de los padres y tutores de no participar en los programas de instrucción de lenguaje o de elegir otros programas. (EC § 440)

La Enmienda de la Protección de los Derechos de los Alumnos (PPRA), 20 USCA § 1232h – Conducción de Encuestas: El PPRA Federal les proporciona a los padres/tutores y alumnos elegibles ciertos derechos con respecto a la conducción de encuestas, colección y uso de la información para los propósitos de la comercialización y ciertos exámenes físicos. Estos incluyen el derecho a:

Consentimiento: Los padres y alumnos elegibles tienen el derecho de dar su consentimiento antes de que se requieran a los alumnos someterse a una encuesta relacionada a una o más de las siguientes áreas protegidas (“Encuesta de Información Protegida”) si la encuesta es financiada en su totalidad o en parte por un programa del Departamento de Educación de los Estados Unidos:

1. Afiliaciones políticas o creencias del alumno o de los padres del alumno;
2. Problemas mentales y psicológicos del alumno o de su familia;
3. Comportamientos y actitudes sexuales;
4. Comportamiento ilegal, antisocial, de auto incriminación y degradante;
5. Valoraciones críticas de otros individuos con quienes los respondedores tienen una relación estrecha familiar.
6. Relaciones privilegiadas o análogas legalmente reconocidas, tales como los de abogados, médicos y ministros;
7. Practicas religiosas, afiliaciones o creencia del alumno o de los padres; o
8. Ingresos (con excepción del ingreso requerido por la ley para determinar la elegibilidad para la participación en un programa o para recibir ayuda financiera bajo tal programa).

EC § 51513 – Consentimiento Escrito de los Padres

Se requiere el consentimiento por escrito de los padres antes de que sus estudiantes participen en una encuesta, prueba, cuestionario o examen con respecto a las creencias, la moralidad y cuestiones similares del alumno o de la familia del alumno.

Aviso: Los padres y alumnos elegibles tienen el derecho de recibir un aviso y la oportunidad de rechazar la participación de un alumno de lo siguiente:

1. Cualquier otra encuesta sobre información protegida, sin importar el financiamiento;
2. Cualquier examen físico invasivo no de emergencia o examen requerido como condición de asistencia, administrada por el distrito y no necesaria para proteger la salud y seguridad inmediata de un alumno, a excepción del examen auditivo, de la vista o examen de la escoliosis o cualquier examen físico o evaluación requerida bajo la ley del estado (vea el aviso proporcionado arriba requiriendo exámenes físicos y evaluaciones bajo el Código de Educación §§ 49403, 49451, 49452, 49452.5 y 49455); y
3. Actividades que implican la colección, divulgación, o el uso de la información personal obtenida de los alumnos para la comercialización o la venta o distribución de otra manera la información a otros (vea el aviso proporcionado anteriormente bajo EC § 490730).

Inspección: Los padres y alumnos elegibles tienen el derecho de examinar al solicitarlo y ante la administración o de utilizar lo siguiente:

1. Encuesta de Información Protegida de alumnos
2. Los instrumentos usados para coleccionar información personal de los alumnos para cualquiera comercialización antes dicha, la venta u otros propósitos de distribución (vea el aviso proporcionado anteriormente bajo EC § 49073); y
3. Materiales de instrucción usados como parte del plan de estudios educativo (vea el aviso proporcionado anteriormente bajo EC § 49091.10 y el Acta de Empoderamiento Educativo de 1998).

A excepción de la encuesta de Información Protegida, el distrito ha adoptado políticas con respecto a estos derechos (vea los avisos proporcionados anteriormente bajo EC §§ 49073, 49091.10, 49403, 49451, 49452, 49452.5 y 49455, y el Acta de Empoderamiento Educativo de 1998). En consulta con los padres, el distrito escolar desarrollará una política con respecto a encuestas de información protegida y proporcionará un aviso anual de tal política a los padres y a los alumnos elegibles.

También se le requiere al distrito notificar a los padres y a los alumnos al comienzo de cada año escolar de las fechas específicas o aproximadas de las siguientes actividades y proporcionarle una oportunidad de rechazar la participación de un alumno en:

1. La colección, divulgación, o uso de la información personal para la comercialización, las ventas y otro tipo de distribución;
2. La administración de cualquier encuesta de información protegida no financiada en su totalidad o en parte por el Departamento de Educación de Estados Unidos; y
3. Cualquier examen o revisión física invasivo no de emergencia según lo descrito anteriormente.

5 CCR § 300 – Responsabilidades de los Alumnos: Se requiere que los alumnos cumplan con el reglamento escolar, asistan a la escuela puntual y regularmente, obedezcan todas las instrucciones, sean diligentes en el estudio y respetuosos con sus maestros y otros con autoridad, sean amables y corteses con sus compañeros de clase y se abstengan totalmente del uso de lenguaje profano y vulgar.

5 CCR § 4622 – Procedimiento Uniforme de Quejas: El Distrito tiene la responsabilidad principal de asegurar el cumplimiento de las leyes y el reglamento estatal y federal que sean aplicables. Los Distritos investigarán las quejas que alegan incumplimiento con leyes y con el reglamento federal y estatal que sean aplicables, inclusive, pero no limitado a, alegaciones sobre discriminación, acoso, intimidación, hostigamiento e incumplimiento de las leyes relacionadas a cuotas de alumnos para participación en una actividad educativa y en LCAP y procurar la resolución de tales quejas de acuerdo con los Procedimientos Uniformes de Quejas.

Cualquier individuo, agencia pública u organización puede presentar una queja escrita ante nuestro superintendente de distrito o su designado alegando un asunto que si, es cierto, constituiría una violación por nuestra LEA de una ley o reglamento federal o estatal que gobierna un programa. Una queja sobre cuotas de alumnos puede presentarse ante el director de una escuela.

Los programas y actividades que son implementados por nuestro distrito y están sujetos al UCP (Procedimiento Uniforme de Quejas) para los cuales recibimos fondos estatales o federales:

- Educación para Adultos

- Educación y Seguridad Después de Clases
- Educación de Carrera Técnica
- Programas para el Cuidado y Desarrollo de Niños incluyendo el preescolar estatal
- Programas Categóricos Consolidados
- Discriminación, Acoso, Intimidación y Hostigamiento
- Jóvenes en Acogida Temporal y Sin Hogar
- Fórmula de Fondos del Control Local y Plan de Responsabilidad del Control Local
- Educación de Migrantes
- NCLB (Ningún Niño Se Quedará Atrás) Títulos I-VII (ESEA / ESSA)
- Servicios de Nutrición – Derechos Civiles USDA (Departamento de Agricultura de EU)
- Centros Ocupacionales Regionales y Programas
- Instalaciones Escolares
- Educación Especial
- Programa de Educación de Prevención de Uso de Tabaco
- Cuotas Ilegales de Alumnos

Las siguientes quejas serán remitidas a otras agencias para resolución apropiada y no están sujetas a nuestro proceso UCP establecido en este documento a menos que estos procedimientos sean hechos aplicables por acuerdos interinstitucionales separados:

1. Alegaciones de abuso de niños deberán ser remitidas al Departamento de Servicios Sociales del Condado de Imperial (DSS), División de Servicios de Protección o un organismo encargado de hacer cumplir la ley.
2. Quejas de salud y seguridad referentes al Programa de Desarrollo de Niños deberán ser remitidas al Departamento de Servicios Sociales para instalaciones con licencia, y al administrador regional apropiado de instalaciones exentas de licencias.
3. Quejas de discriminación, acoso, intimidación, u hostigamiento en el empleo deberán ser enviadas al Departamento Estatal de Empleos y Viviendas Equitativos.
4. Alegaciones de fraude deberán ser remitidas a la Sucursal de Asuntos Legales, Auditorías, y Cumplimiento en el Departamento de Educación de California (CDE).

Una cuota de alumno es una cuota, depósito, u otro cargo impuesto en los alumnos, o los padres o tutores de un alumno, en violación de códigos estatales y provisiones constitucionales que requieren que actividades educativas sean provistas sin costo a todos los estudiantes sin considerar la capacidad de la familia o su disposición de pagar cuotas o de solicitar exenciones especiales. Las actividades educativas son las que ofrece una escuela, un distrito escolar, una escuela particular subvencionada, u oficina de educación del condado que constituyen una parte fundamental de la educación, inclusive, pero no limitado a, actividades curriculares o extracurriculares.

Una cuota a un alumno incluye, pero no está limitado a, todo a continuación:

1. Una cuota impuesta a un alumno como condición para registrarse para la escuela o clases, o como condición para participación en una clase o una actividad extracurricular, sin considerar si la clase o la actividad es electiva u obligatoria, o es para crédito.
2. Un depósito de garantía, u otro pago, que se requiere que el alumno haga para obtener un candado, armario con llave, libro, aparato para la clase, instrumento musical, ropa, u otro material o equipo.
3. Una compra que se requiere que el estudiante haga para obtener materiales, útiles, equipo o ropa asociados con una actividad educativa.

4. Una queja por cuotas de alumnos y/o una queja sobre LCAP pueden presentarse anónimamente si la queja provee evidencia o información conducente a evidencia que respalda una alegación de incumplimiento con leyes relacionadas a cuotas de alumnos.

Una queja por cuotas de alumnos deberá ser presentada a no más tardar un año de la fecha de ocurrir la violación alegada. El LCAP es un componente importante de la Formula del Fondo del Control Local (LCFF), el sistema de financiamiento escolar revisado que reconstruyó la manera que California provee fondos a sus escuelas K-12. Bajo el LCFF, se requiere que preparemos un LCAP, que describe como tenemos pensado lograr las metas anuales para nuestros estudiantes, con actividades específicas para abordar las prioridades estatales y locales identificadas de acuerdo con la Sección 520060(d) del Código de Educación.

Las quejas pueden presentarse ante la oficina del Superintendente o su designado(a). Al recibir una queja, se efectuará y se completará una investigación de la alegación dentro de 60 días naturales por un administrador apropiado. Este periodo de tiempo puede ser extendido por un acuerdo escrito del denunciante. Se proveerá una declaración escrita de la investigación al denunciante dentro de 60 días naturales del recibo de la queja. Esta declaración incluirá los hallazgos, la disposición de la queja, las acciones colectivas, y la razón fundamental de la disposición.

El denunciante será aconsejado sobre su derecho de apelar la decisión local de las quejas sobre programas específicos, de Cuotas de Alumnos y del Plan de Responsabilidad del Control Local (LCAP) al Departamento de Educación de California por medio de presentar una apelación escrita dentro de 15 días de haber recibido la decisión de LEA. Se proveerá al denunciante información sobre los procedimientos para presentar una apelación y el plazo aplicable.

Soluciones de la ley civil inclusive, pero no limitado a, mandamientos judiciales, órdenes de restricción, u otras soluciones u órdenes también pueden estar disponibles a víctimas de discriminación, acoso, intimidación, o leyes sobre hostigamiento, si son aplicables.

El Superintendente/Designado/director Escolar al ser solicitado proveerá una copia de la política y procedimientos aplicables de quejas del distrito sin costo alguno.

5CCR § 11523 – Examen de Competencia de la Escuela Preparatoria en California: El Examen de Competencia de la Escuela Preparatoria en California (CHSPE) es un examen voluntario que evalúa la competencia básica en lectura básica, escritura, habilidades matemáticas que son enseñadas en las escuelas públicas. Los alumnos elegibles que pasen el CHSPE se les otorga un certificado de competencia por la mesa directiva del Estado de Educación. Un alumno que recibe un certificado de competencia puede, con aprobación verificada de los padres o guardianes legales, dejar la escuela preparatoria tempranamente. El Certificado de Competencia, más sin embargo no es el equivalente a completar cursos completos que se requieren para graduarse de la preparatoria. Para más información, incluyendo las fechas de administración y de registración, visite el siguiente sitio Web: <https://www.chspe.net>.

5 CCR § 11993(k): 20 U.S.C 7912 – Selección Insegura de Escuela: A los estudiantes se les permitirá asistir a una escuela segura. El distrito notificara a los padres y guardianes de los alumnos en la primaria y/ o la secundaria si se considera que las escuelas son “persistentemente peligrosas” conforme a las guías del departamento de Educación de California y de opciones viables para asistencia en una escuela segura. “Cualquier violación de armas de fuego” es un evento por el cual se considera en determinar ya sea que un sitio escolar está a riesgo de ser clasificada como persistentemente peligrosa.

Declaracion de no Discriminacion (Título VI de los Derechos Civiles Ley de 1964): Para todos los aspectos de los programas y actividades educativas, El distrito escolar no discriminará en base a raza, color, origen nacional, sexo, discapacidad o cualquier otra consideración ilegal. La falta de adquisición del idioma inglés no será una barrera para la admisión y participación. La Junta de Gobierno está comprometida con la igualdad de oportunidades para todas las personas en la educación. Los programas, actividades y prácticas del distrito estarán libres de discriminación basada en raza, color, ascendencia, nacionalidad, origen nacional, etnia, identificación de grupo étnico, edad, religión, estado civil o paternidad, discapacidad física o mental, sexo, orientación sexual, género, identidad o expresión de género, o información genética; la percepción de una o más de tales características; o asociación con una persona o grupo con una o más de estas características reales o percibidas.

Enmiendas de Educación de 1972, Título IX; No Discriminación: El distrito tiene una política de no discriminación por motivos de sexo. Esta política se aplica a todos los estudiantes en lo que se refiere a la participación en programas y actividades, con pocas excepciones, como los deportes de contacto, de acuerdo con la ley federal. Se puede presentar una queja en la oficina del Superintendente. Las preguntas relacionadas con el Título IX pueden remitirse al coordinador del Título IX de la escuela o a la Oficina de Derechos Civiles.

El coordinador del título IX de MUESD:
Superintendente o designado
701 W. McCabe Road, El Centro, CA 92243
(760) 335-5200

Código de Bienestar e Instituciones § 18976.5 – Prevención del Abuso de Niños: Los padres pueden rehusar permitir que sus hijos participen en cualquier programa principal de la prevención del abuso de niños el cual puede ser proporcionado por el distrito.

Entrenamiento de Conducción – Extraído del Código de Vehículos de 1969 del Estado de California

17707: Por la presente, cualquier responsabilidad civil de un menor que surja al manejar un vehículo motorizado en una carretera durante su adolescencia, será impuesta a la persona que firmó y verificó la solicitud para obtener licencia del menor y será severamente responsable junto con el menor de cualesquier daños próximamente que hayan resultado de la negligencia o acción ilícita u omisión del menor al conducir el vehículo, con excepción del empleador que haya firmado la solicitud, será sujeto a las provisiones de esta sección únicamente cuando se haya otorgado una licencia de manejo sin restricciones a un menor en conformidad con la autorización escrita del empleador.

17708: Cualquier responsabilidad civil de un menor, con licencia o no bajo este código, que surja de su conducción de un vehículo en una carretera con el permiso expreso o implícito de los padres de la persona o tutor que tiene la custodia del menor, por la presente, es impuesta sobre los padres, la persona, o tutor, y los padres, persona o tutor serán severamente responsables y en unión con el menor por cualesquier daños próximos que resulten de la negligencia o acción ilegal u omisión del menor al conducir un vehículo.

17709: (a) Ninguna persona, o grupo de personas colectivamente, incurrirá responsabilidad del acto negligente o ilícito u omisión bajo las Secciones 17707 y 17708 de cualquier cantidad que sobrepase quince mil dólares (\$15,000) por daños a o la muerte de una persona como resultado de un accidente o, sujeto al límite de una persona, que sobrepasa treinta mil dólares (\$30,000) por lesiones a o la muerte de todas las personas como

resultado de cualquier accidente o sobrepasando cinco mil dólares (\$5,000) por daños a la propiedad de otros como resultado de cualquier accidente.

(b) Ninguna persona es responsable bajo las Secciones 17707 o 17708 por los daños impuestos a modo de ejemplo y como una manera de castigar al menor. Nada en esta subdivisión hace a cualquier persona inmune de responsabilidad impuesta por daños a modo de ejemplo y como una manera de castigarlo por su propia conducta ilícita.

21212: El distrito peticiona que los padres o guardianes de niños que caminan o montan su bicicleta a la escuela planeen una ruta segura a la escuela con sus niños. La ruta no involucrara atajos a través de propiedad privadas y todos los estudiantes se espera que mostraran buen comportamiento. Además, un estudiante menor de 18 años puede ser multado por no usar un casco que le quede apropiadamente y que le quede ajustado, y el padre o guardián del menor que violen esta sección serán junta y severamente responsable con el menor de una multa.

Acta de Rehabilitación de 1973 (Sección 504) – Igualdad de Oportunidades: El distrito esta comprometido a darle igualdad de oportunidades a todos los individuos en educación. Los programas y actividades de nuestro distrito deben de estar libres de discriminación basado en el sexo, raza, color, religión, nacionalidad, falta de habilidades en el idioma ingles, grupo étnico, estado marital o paternal, discapacidades físicas o mentales o cualquier otra consideración ilegal. El distrito promoverá programas los cuales aseguren que estas prácticas de discriminación sean eliminadas en todas las actividades del distrito. (EC § 56501) También se prohíbe el hostigamiento contra las discapacidades. Este es un comportamiento de intimidación o abusivo hacia un alumno basado en una discapacidad que crea un ambiente hostil al interferir con o negar la participación de un alumno en o al recibir beneficios, servicios u oportunidades en un programa del distrito.

En cualquier Distrito escolar, actividad o programa, todos los actos ilegales de discriminación son prohibidos, incluso el hostigamiento, intimidación, las represalias y acoso discriminatorio de cualquier estudiante basado en la raza actual o percibida, color, ascendencia, origen nacional, nacionalidad, etnicidad, identificación de grupo étnico, edad, religión, estado marital o de paternidad, discapacidad física o mental, sexo, orientación sexual, género, identidad de género, o expresión de género, o asociación con una persona o grupo con una o más de estas características actuales o percibidas.

Usted tiene ciertos derechos bajo la ley, incluyendo Titulo VI del Acta de Derechos Civiles de 1974, Titulo IX de las Enmiendas de Educación de 1972, Sección 504 del Acta de Rehabilitación de 1973, y el Acta de Educación de Individuos con Incapacidades (IDEA, actualmente conocida como EHA). El Departamento de Educación de California y la Oficina de Derechos Civiles del Departamento de Educación de Estados Unidos tienen la autoridad de aplicar estas leyes y todos los programas y actividades que reciben fondos Federales. (EC § 260, et seq.).

Si desea más detalles, o desea presentar una queja, favor de contacta a la oficina del Superintendente u otra agencia apropiada.

Código de Salud y Seguridad § 11357 - Posesión de Drogas: Salvo en los casos autorizados por la ley, una persona que posee cualquier cantidad de cáñamo concentrado o cantidades específicas de marihuana en los terrenos de la escuela o en un evento de la escuela será sujeto a una multa y/o encarcelamiento.

Código de Seguridad y de Salud § 104420, 104495 – Plantel Libre de Tabaco: El distrito recibe fondo para la prevención y uso del tabaco para adoptar y enforzar una póliza del plantel libre de tabaco. La información sobre los programas de apoyo para dejar de fumar esta disponible y se anima a los alumnos y al personal. La sección

104495 del código de Salud y Seguridad prohíbe el fumar y usar cualquier producto relacionado con el tabaco y el desecho de cualquier desecho relacionado con el tabaco dentro de 25 pies del patio de recreo de la escuela. La prohibición no aplica a las banquetas publicas localizadas a 25 pies del patio de recreo.

Código de Salud y Seguridad § 120440 – Compartiendo Expedientes Médicos: Si un distrito escolar planea proveer expedientes médicos de un alumno a un sistema de inmunización, debe informar al alumno o a sus padres o tutores de lo siguiente:

- 1) Información medical puede ser compartida con los departamentos de salud locales y con el Departamento de Salud Pública del Estado;
- 2) El nombre y domicilio del Departamento de Salud del Estado o registro con el cual la escuela compartirá la información;
- 3) Cualquier información compartida será tratada como información médica confidencial;
- 4) El estudiante o el padre o tutor tiene el derecho de examinar cualquier información relacionada a inmunizaciones compartida de esta manera y para corregir cualesquier errores en ellas; y
- 5) El estudiante o padre o tutor puede rehusar permitir que esta información sea compartida en la manera descrita, o a recibir notificaciones de recordatorio de inmunizaciones en cualquier tiempo, o ambos.

Código de Salud y Seguridad § 124085 § 124105 – Programa de Prevención de Salud del Niño y de Discapacidad: Antes que el niño entre a primer grado, sus padres deben obtener una renuncia o un examen médico para el niño y completar el certificado proveído o firmar una renuncia. El examen deberá tomar lugar antes (dentro de seis meses) o durante el año de kínder. A los padres se les anima a obtener un examen de salud simultáneamente con las requeridas inmunizaciones. Los padres pueden preguntar en la oficina de la escuela acerca de exámenes de salud gratis para los niños de ingresos bajos proveído bajo el programa de prevención de salud y discapacidades en el niño.

Código Penal & 290 & Ley de Megan: Información acerca de los registrados delincuentes sexuales en California y como proteger a sus familias se puede localizar en <https://meganslaw.ca.gov>.

Código Penal § 290.4 – Información sobre un Delincuente Sexual: Información con respecto a la identificación de ofensores sexuales serios puede ser adquirida por el público. El distrito no disemina esta información. Sin embargo, cualquier persona de por lo menos 18 años puede obtener esta información si tienen el nombre del individuo y UNO de los siguientes: domicilio, fecha de nacimiento, licencia de conducir o número de seguro social. Usted puede recibir información de su agencia local de leyes o ver la página de Internet del fiscal general: <http://oag.ca.gov>.

Código Penal § 417.27- Objetos Peligrosos: El distrito prohíbe objetos peligrosos en el plantel, tales como unos puntos laser y pistola de balines (pistola B.B.), a menos que la posesión es por validez instruccional u otro propósito relacionado con la escuela.

Código Penal § 11165, et seq. – Denuncia Obligatoria del Abuso y Negligencia de un Niño: De acuerdo con el código Penal § 11165, et seq., todos los empleados regulares de un distrito son informantes obligados de reportar el abuso y la negligencia de un niño/a. Todo dicho empleado debe reportar cualquier caso conocido o sospechado del abuso de un niño/a a las autoridades apropiadas.

20. U.S. C. 1232g -Marketing: Revelación de Información del Estudiante: El distrito hace que la información del directorio de los estudiantes esté disponible en acuerdo con leyes estatales y federales. Esto significa que can

nombre del estudiante, cumpleaños, dirección, número de teléfono, principal curso de estudios, participación en actividades de la escuela, fechas de asistencia, premios, y las asistencias previas a la escuela, se puedan proporcionar a las agencias tales como el PTA local, o un club de padres o al servicio militar. Si usted no desea que esta información se proporcione por favor vaya al www.muesd.net y firme y regrese la forma incluida que es proveída en el programa de la oficina del condado.

La leyes federales y estatales otorgan ciertos derechos de privacidad y derecho de acceso a los registros de los alumnos a los estudiantes y a sus padres. Los distritos escolares deben informar a los padres, alumnos mayores de 18 años que se identifiquen como jóvenes sin hogar y no acompañados, e individuos que hayan completado y firmado una Declaración jurada de autorización del cuidador de sus derechos con respecto a los registros del alumno bajo la Sección 49063 al menos una vez al año y al momento de la inscripción inicial.

El aviso anual informara a los padres, o al estudiante elegible, de:

- 1) Los tipos de registros y la información contenida en ellos que están directamente relacionados con el estudiante y mantenidos por la institución.
- 2) Su derecho a revisar los registros individuales mediante una solicitud por escrito de los mismos.
- 3) El distrito escolar debe responder a una solicitud de registros del alumno proporcionando acceso a mas tardar cinco días hábiles or laborales después de la fecha de la solicitud.
- 4) Disponibilidad de personal calificado para interpretar registros, si se solicita.
- 5) Procedimientos para desafiar el contenido de los registros de los alumnos.
- 6) Además, los padres o estudiantes elegibles pueden recibir una copia de cualquier información en los registros a un costo razonable por página.
- 7) Políticas y procedimientos del distritorelacionados con: ubicación de registros, si no están ubicados en el centro; cargo de funcionario responsable de mantenimiento o registros; acceso de otras personas; política de revisión y eliminación de registros.
- 8) Categorías de informacion designadas como información de directorio de conformidad con la Sección 49073;
- 9) Cuando un estudiante se muda a un nuevo distrito, los registros se enviaron a solicitud del nuevo distrito escolar dentro de los 10 dias escolares. En el momento de la transferencia, el padre (o el estudiante elegible) puede revisar, recibir una copia (a un costo razonable) y / o cuestionar los registros; y;
- 10) Su derecho a presentar una queja ante la Oficina de Cumplimiento de Políticas Familiares del Departamento de Educación de los EE. UU. Si creen que el distrito escolar no cumple con las regulaciones federales sobre privacidad.

34 U.S.C. 108.6 La Ley de Igualdad de Acceso de Boy Scouts of America: La Ley requiere que las escuelas públicas brinden igualdad de acceso al uso de la propiedad escolar a los Boy Scouts y otros grupos juveniles designados.

42 U.S.C. 6106 et seq. La Ley de Discriminación por Edad: La Ley prohíbe la discriminación en programas o actividades que reciben asistencia financiera federal y/o estatal.

Código de Estados Unidos § 42 U.S.C. 11432 – Niños sin Hogar: Cada distrito local designará a una persona de enlace para niños sin hogar quien se asegurará de diseminar el aviso público de los derechos educativos de los estudiantes sin hogar. El aviso deberá incluir:

- 1) Información de contacto de la persona de enlace;
- 2) Las circunstancias para elegibilidad;
- 3) El derecho de matriculación inmediata en la escuela de origen o escuela donde actualmente reside sin prueba de residencia, registros de inmunización o resultados de la prueba de tuberculosis, archivos escolares, o documentos de la tutoría legal;
- 4) El derecho de educación y otros servicios incluso de participar completamente en todas las actividades escolares y programas para los cuales el niño(a) es elegible, de calificar automáticamente para los programas de alimentos de la escuela, de recibir servicios de transportación, y to contactar a la persona de enlace para resolver las disputas que surjan durante la matriculación;
- 5) Que ningún niño(a) sin hogar deberá ser requerido de asistir a una escuela separada para niños o jóvenes sin hogar; y
- 6) Que el joven sin hogar no será estigmatizado por el personal escolar

Cuestiones Sobre la Custodia: Los distritos escolares puede informar a los padres que la escuela no es un foro para resolver disputas sobre la custodia y que la escuela no tiene jurisdicción legal para rehusar al padre/madre biológico acceso a su niño(a) y a los archivos escolares del niño(a) con la excepción de cuando una orden de restricción firmada o documentos de divorcio apropiados que específicamente fijan limitaciones están archivados en la oficina de la escuela. Las disputas sobre la custodia deben ser manejadas por las cortes.

W&IC §§ 4900; 4902; 4903 – Agencia de Protección y Defensa: La Agencia de Protección y Defensa tiene acceso para investigar y defender los derechos de las personas con discapacidades del desarrollo y de salud mental. Después de una queja o informe de presunto abuso y un hallazgo de causa probable, la agencia tiene derecho a investigar y se le debe proporcionar acceso razonable a la instalación. Esto incluye la oportunidad de entrevistar a cualquier individuo con una discapacidad, empleado u otra persona con conocimiento del presunto abuso. La agencia tiene derecho a monitorear el cumplimiento del programa de una instalación o de los proveedores de servicios con los derechos y la seguridad de las personas con discapacidades. El distrito escolar debe proporcionar a la agencia el nombre y la información de contacto del padres o tutor de un estudiante y la agencia tiene autoridad para acceder, inspeccionar y copiar los registros del estudiante.