



Student Behavior And Parent Information Handbook 2022~2023



Student Services Department
6578 Santa Teresa Blvd.
San Jose, CA 95119



Dear Families:

The Oak Grove School District values a safe, nurturing child-centered environment in which student success is the major focus for each of our schools. School staff put a tremendous amount of time and effort into working with students and parents in providing mutual support, teamwork, and shared responsibility in student behavior and learning. This handbook provides important parent information from the State Education Code and District practices, as well as standards and expectations of students in our schools. In addition, each school has developed a school-wide discipline plan that is consistent with the practices in this handbook.

It is important to us for parents/guardians to have access to assistance in working as partners with Oak Grove School District to ensure success for each and every student. Parent/Guardian assistance is available through the School District's Community Liaisons to aid in this partnership. In addition, a major focus for the School District continues to be parent education classes. There will be many classes offered on a wide variety of topics in various locations throughout the School District. You may obtain further information about family services by calling (408) 227-8300, extension 100249, Educational Services Division, or contact your local school site for available parent resources.

Oak Grove School District issues appropriate consequences for poor choices and student misconduct, with more serious consequences for more serious offenses. The School District expects each student to take responsibility for their behavior and expects each student to comply with all rules, requests, and requirements. Unlawful behavior is not allowed, and serious consequences, up to suspension and expulsion, will be issued to maintain an orderly and safe school environment in which harassment, weapons, drugs, tobacco, vandalism and the threat of physical harm or injury will not be allowed. Please take time to review this book with your child. It is important that your child's teacher knows that you have received and reviewed this handbook. The accompanying pages should be signed and returned to your child's teacher as soon as possible. There are signature pages for the Network Acceptable Use Agreement for both parents/ guardians and students as well as the video/photography consent. Please review with your child, sign and return to the teacher. Also, a "Pledge" form has been added for you to review with your child, sign and return to the teacher. These forms will also be available digitally.

If you have any questions or comments about the expectations for student behavior or the parent information, please don't hesitate to contact your child's teacher or principal. We value your support and cooperation in helping your child have a most productive and successful school year. This information is also available on the School District's website: www.ogsd.net.

Sincerely,



Oscar A. Ortiz
Director, Educational Services

The School District Handbook is updated annually and is the most up-to-date statement of the School District Standards and rules, taking precedence over other District publications unless changes are necessary due to legislative or policy changes, which occur after the date of publication. The Oak Grove Board of Trustees will make this determination in collaboration with the Superintendent. If necessary, appropriate notification will take place.

OAK GROVE SCHOOL DISTRICT

2022-2023 SCHOOL CALENDAR

JULY

| M | T | W | TH | F |
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AUGUST

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SEPTEMBER

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| 26 | 27 | 28 | 29 | 30 |
| N | N | N | N | N |

- Events:**
- 8/9 Certificated Staff Return/Prof'l Dev. Day (No Students TK-8)
 - 8/10 In-Service (No Students)
 - 8/11 Students Return (Adjusted Day)
 - 9/5 Labor Day
 - 9/26 - 9/30 Fall Break
 - 10/3 Goal Setting Day TK-6 (School in Session-Adjusted Day)

Student/Teacher Days 0 / 0

Student/Teacher Days 15 / 17

Student/Teacher Days 16 / 16

OCTOBER

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NOVEMBER

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DECEMBER

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| 26 | 27 | 28 | 29 | 30 |
| H | H | N | N | N |

- 10/5 - 10/14 Goal Setting Days TK-6 (School in Session-Adjusted Days)
- 10/31 TK-6 Adjusted Day
- 11/1 Professional Dev. Day (No Students TK-8)
- 11/8 Election Day No School
- 11/11 Veterans Day
- 11/21-11/25 Thanksgiving Break

Student/Teacher Days 21 / 21

Student/Teacher Days 14 / 15

Student/Teacher Days 17 / 17

JANUARY

| M | T | W | TH | F |
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FEBRUARY

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MARCH

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| 20 | 21 | 22 | 23 | 24 |
| | A | | | |
| 27 * | 28 | 29 | 30 | 31 |
| | A | | | |

- 12/23 TK-6 Adjusted Day
- 12/26 - 1/06 Winter Break
- 1/9 School Reopens
- 1/16 Martin Luther King, Jr.'s Day
- 1/17 TK-6 Conference prep/conference (No Students TK-8)
- 1/17 7-8 In-Service Day (No Students TK-8)

Student/Teacher Days 15 / 16

Student/Teacher Days 14 / 15

Student/Teacher Days 23 / 23

APRIL

| M | T | W | TH | F |
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MAY

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JUNE

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| 26 | 27 | 28 | 29 | 30 |

- 1/18 - 1/27 Conference Days TK-6 (School in Session-Adjusted Days)
- 2/17 Professional Dev. Day (No Students TK-8)
- 2/20 - 2/24 February Break
- 3/27 *SBAC Testing Window Opens *(Date Subject to Change)
- 4/7 Professional Dev. Day (No Students TK-8)
- 4/10 - 4/14 Spring Break
- 5/29 Memorial Day
- 6/5 - 6/13 Adjusted Days TK-6
- 6/13 Last Day TK-8 (Adjusted Day)

Student/Teacher Days 14 / 15

Student/Teacher Days 22 / 22

Student/Teacher Days 9 / 9

- H = Legal Holiday
- N = Non School Day
- A = Adjusted Day (Grades TK thru 6 Only)
- AG and AC = Adjusted Day Goal Setting or Conf Days (Grades TK thru 6 Only)
- Non Student Day
 - ◆ PD=Professional Development
 - ◆ IS=In-Service Day

SI - End of First Semester (7/8 Grade)

★ First and Last Day of School

Student Days: 180
Teacher Days: 186

SUPERINTENDENT'S MESSAGE

We are pleased to provide you with the newest edition of the School District's Student Behavior and Parent Information Handbook.

Our District's Core Values define and set the foundation for a positive learning environment. The School District's discipline standards are based on the philosophy that student behavior should be the result of respect, which students have for themselves, other people, and their environment. These standards establish a uniform set of behavioral expectations, which apply to society as well as the school environment. They ensure that the school is a safe place to be, with the focus on student learning.

We ask that all parents and guardians join the School District staff in providing the example and support necessary to prepare our youth for responsible and productive adulthood. Taking time to review this edition is the first step in ensuring student success.

Sincerely,



José L. Manzo
Superintendent

Oak Grove School District CORE VALUES

STUDENT LEARNING

We value a safe, nurturing, child-centered environment in which student learning is the major focus.

POSITIVE INTERDEPENDENCE

We value a cooperative environment of mutual support, teamwork, shared responsibility, and success.

QUALITY PERFORMANCE

We value commitment to creativity, innovation, initiative, continuous growth, and a strong work ethic.

INTEGRITY

We value ethical and honest interactions.

RESPECT

We value and respect the individual differences and diversity of our students, employees, and community.

INCLUSIVITY

We value an inclusive environment in which all people feel appreciated and

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- A. Uniform Complaint Procedures
- B. Parent Compact Samples
- C. Annual Parent/Guardian Notice of Rights and Responsibilities
- D. Promotion/Retention Policy
- E. Network Acceptable Use Agreement
- F. Inter-district Attendance Request/Permit and Homeless Information Act
- G. Volunteer Assistance Board Policy
- H. Field Trip Information Board Policy
- I. Sexual Harassment Board Policy
- J. Sexual Harassment Title IX Procedures
- K. Family Involvement/Megan's Law: Sex Offender Information
- L. Program Options for English Language Learners/ ELPAC Proficiency
- M. Keeping Schools Free of Teasing, Bullying and Harassment, Social Media and Cyberbullying
- N. Healthy Schools Act
- O. High School Graduation & College Entrance Requirements (A-G)
- P. Parent Involvement/ Family Engagement
- Q. Mental Health/ Suicide Prevention
- R. Immigration Status
- S. Meal Charge Administrative Policy
- T. Firearms Safety Memorandum

José L. Manzo, Superintendent
 Board of Trustees
 Bejia Gonzalez, Carla Hernandez,
 Tami Moore, Jorge Pacheco Jr, Nancy Yue

STUDENT ACCOUNTABILITY

Every student is accountable for meeting significant standards of academic excellence and personal behavior.

An orderly and safe learning environment, which supports and sustains high standards of academic excellence and personal behavior demands school management practices which establish: 1) strong behavior guidelines, which reinforce positive qualities and restrict negative behavior; 2) consequences for unacceptable behavior; 3) strategies and skills to manage conflict and to enhance self-esteem of all students; 4) academic standards that balance the psychological, social, and physical needs of students; 5) safe school environment, and 6) strong parent support.

EXPECTED STUDENT BEHAVIOR

Oak Grove School District students are expected to **RESPECT THEMSELVES, RESPECT OTHERS, AND RESPECT THEIR PROPERTY**. Therefore, students are made aware of possible consequences of their behavior. Disciplinary action taken by school officials is a direct consequence of unacceptable behavior (including academic or other dishonesty) by a student.

Rules and regulations are established to maintain an atmosphere conducive to learning. Students who fail to comply with these rules and regulations will receive appropriate consequences for the offense. These may include being counseled, warned, reprimanded, suspended and/or expelled, and/or arrested depending on the situation, and on whether the student has had prior misconduct issues because the goal of consequences is to teach students safe, respectful, and appropriate behavior for future decision-making. For some offenses, the school staff are required to call the police.

All students shall comply with the regulations, pursue the required courses of study, and submit to the authority of the teachers of the schools (**Ed. Code 48908**) including but not limited to the congregating of students before, during or after school and students visiting campus when school is not in session. The students are required to comply with behavior expectations on school grounds even when school is not in session.

Extracurricular activities and field trips are considered a part of the educational program. Participants and spectators carry responsibilities as representatives of their schools/communities. All rules of student conduct also apply to extracurricular activities, field trips, and traveling to and from the activities.

The Board of Trustees may suspend and/or expel a student for reasons set forth in **Education Code 48900** through **48915** and reviewed on section "Student Suspension and Expulsion Disciplinary Guidelines" related to school activity or attendance.

This publication has been prepared and distributed to advise the school staff, students, and the parents of policies and procedures related to student behavior. The School District has high expectations for the behavior of each student.

The Oak Grove School District strives to keep schools free of teasing, bullying and all forms of harassment. In doing so, students are taught refusal and social skills, cultural and racial awareness, ways to report to an adult, and appropriate ways to respond to teasing, bullying and all types of harassment.

This curriculum is science and researched-based and is based on State requirements. Supplemental programs, videos, films, guest speakers and activities help to further align the needs of individual schools and populations. Should you like to preview any of these materials, please do not hesitate to contact your child's teacher and school.

BEHAVIOR INTERVENTION MODELS

Oak Grove School District believes that all students need to behave in a respectful and responsible manner. Each year every student in the School District is taught the effective way of expressing themselves clearly to others starting at

kindergarten level. Training in implementing these strategies has been provided to all teachers and staff members. Students receive training through PBIS (Positive Behavior Interventions and Supports) and Restorative Practices.

PBIS (POSITIVE BEHAVIORAL INTERVENTION AND SUPPORT):

Improving student academic and behavior outcomes is about using instructional and behavioral practices and possible interventions. PBIS provides an operational framework for achieving these outcomes. More importantly, PBIS is NOT a curriculum, intervention, or practice, but IS a decision-making framework that guides selection, integration, and implementation of academic and behavioral practices for improving important academic and behavior outcomes for all students when appropriate. In general, PBIS emphasizes four integrated elements: (a) data for decision making, (b) measurable outcomes supported and evaluated by data, (c) practices with evidence that these outcomes are achievable, and (d) systems that efficiently and effectively support implementation of these practices.

BEHAVIORAL GUIDELINES

The following guidelines apply when going to and from school, at school, going to and from and while at a school-related activity on or off school grounds.

ACADEMIC HONESTY

All students will complete their academic work without cheating. If a student is caught cheating, that student will be disciplined.

ADMINISTRATIVE TRANSFERS

Students may be transferred to a school or program other than their home school or other current school of enrollment in Oak Grove School District for purposes of adjustment and disciplinary reasons as an alternative to expulsion (see section titled “Student Suspension and Expulsion Disciplinary Guidelines”). (**Ed. Code 48900 and 48903**)

AFTER SCHOOL SPORTS

- Participants in After School Sports must maintain at least a 2.0 grade point average.
- Appropriate behavior and compliance with all rules are required at all times during school, practice, games, meets and any events, including fundraising events. Respect toward coaches, parents, teammates, opposing teams, and officials is expected at all times. Failure to show such behavior will result in dismissal from the team and possible discipline and/or consequences.

APPEARANCE

For health and safety reasons, as well as to help students focus on learning, students shall dress appropriately for daily attendance at school. The type and style of clothing/garment, hair, fragrances, sprays, and makeup are individual and personal, but must follow school rules. Appropriate footwear must be worn at all times for safety reasons. The school shall ensure that clothing/garment, hair, makeup, and/or personal appearance is not disrespectful or a mockery of other groups, or a material and substantial disruption of the work and discipline of the school.

Appearance is one of the ways in which we convey attitudes toward others and self. Examples of **inappropriate** appearance may include but are not limited to the following:

- Clothing/garment, accessories or buttons which show obscene words or pictures, weapons or violence, suggestive, insulting, or double meaning statements related to music groups, sports

teams or alternative lifestyle which are harassing or demeaning, or substances which are illegal to juveniles, e.g., tobacco, alcohol, and drugs.

- Any clothing/garment/shoes or accessories that is associated with gangs, criminal or risky behavior or gang-related activity or gang colors including such clothing/garment or accessories worn under outer garments, e.g., undergarments including any such color worn as shirts, sweater, sweatshirts, jackets, head covering, rubber band, chain, safety pin, etc.
- Clothing must be appropriate for school, must not hinder or disrupt educational activities, and must not be unsafe, such as not being gang-affiliated, not being harassing, and not advocating violence or unlawful activities for students such as drugs or alcohol.
- Flat, close-toed shoes without steel toes are required for safety reasons and for physical education activities. Shoes should be appropriate for physical education.

For more information related to clothing/garment, guidelines please contact the school's principal or refer to your school site's handbook.

Sun Shielding Clothing: Students are allowed to wear protection from the sun when outside for recess or P.E. Each school has rules allowing sun-protective clothing, while adhering to the School District dress code guidelines and addressing individual school needs. Please refer to the school handbook for specific information regarding appearance requirements at your child's school.

Common Student Dress: **All students must adhere to the dress requirements outlined above.** Some schools participate in a Common Student Dress (CSD) program in which clothing of certain colors and styles are selected by parents, staff, and students for everyday school wear. It is expected that students will adhere to the clothing requirements of the program unless exempted by a waiver available from the school administration and signed by the parent. The waiver only exempts a student from common student dress and does not exempt the student from adherence to the School District appearance requirements outlined above. Students may be disciplined for not adhering to the CSD requirements if a waiver has not been submitted. A student who participates in a nationally recognized youth organization may wear that uniform on meeting days. (Ed. Code. 35183)

ATTENDANCE/TARDINESS

Attendance and participation in class are essential if the student is to gain the maximum benefit of the educational program. Regular and punctual school attendance of students is required. School attendance is an area which requires mutual cooperation among the school, the parents and the student so that the whereabouts of each student will be known at all times during the school day. **Students may not arrive at school more than 15 minutes before the bell rings, since there is no supervision until that time.** For the same reason, students must be picked up within 15 minutes of the school dismissal time or arrangements made for them to walk to a location where they will be properly supervised.

California Education Code 48200 requires full-time student attendance for the length of the school day for all children between ages 6 and 18, unless exempted.

The California Education Code and the Welfare and Institution Code provide that legal action may be taken against a student and/or parent when a student is declared a habitual truant. (**Ed. Code 48264.5 and 48293**).

- First Declaration as a Legal Truant: A student who is **ABSENT without a valid excuse on three or more days and/or TARDY in excess of 30 minutes on three or more occasions in a school year.** (**Ed. Code 48260**).

-
- Second Declaration as a Legal Truant: A student once reported as a legal truant who is absent without valid excuse on one or more days or is tardy in excess of 30 minutes on one or more days in a school year. (**Ed. Code 48261**).
 - Declaration as an Habitual Truant: A student who has been declared to be a legal truant on three or more occasions in a school year if a district employee has tried to hold at least one conference (including email or phone call) with the pupil and a parent or guardian, after the filing of a prior truancy report. (**Ed. Code 48262**).

When a student is declared a habitual truant, is a chronic absentee (defined in Ed. Code 60901 as a pupil who is absent 10% or more of the schooldays in the school year), or is habitually insubordinate or disorderly, he/she and the parent(s) will be referred to the School Attendance Review Board (SARB) and then to the Santa Clara County's District Attorney's Office if no improvement is made. The School District shall provide documentation of the school's interventions to the pupil, pupil's parents/guardians, and the SARB or probation department and shall notify the pupil and pupil's parents/guardians, in writing, of the name and address of the SARB or probation department to

which the matter has been referred and of the referral reason. The notice shall indicate that the pupil and parents/guardians will be required, along with the referring person, to meet with the SARB or probation officer to consider a proper disposition of the referral. (**Ed. Code 48263**).

Verification of student absences is accepted only from parents or guardians. Students may not verify their own absence by either note or telephone. When a student is absent from school, parents/guardians are asked to call the school office on the day of the absence. If this is not possible, a note signed by the parent/guardian must accompany the student when he/she returns to school. Excessive excused absences will also be monitored, as any absence, excused or unexcused, interferes with a child's educational progress. Excused illnesses exceeding 10% will be monitored and may require doctor verification of medical difficulty and needs. When a student has been absent or tardy 3 or more days unexcused, parents/ guardians will receive written notification. (First Declaration as a legal truant). It is important that parents/guardians be informed of their child's attendance status as well as to promote school and parent collaboration in dealing with this issue. **Home visits may be made by the Community Liaisons or the Safe School Specialists to work with the family on attendance or truancy. If absent, student may not attend school-related activities.**

Excused Absences: **Education Code 48205(a)** and **Board Policy 5113**

- Personal illness, including an absence for the benefit of the pupil's mental or behavioral health, or medical, dental, optometrist, or chiropractor appointment.
- Death of an immediate family member (parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil): 1 day excused for in state, and 3 days excused for out of state.
- Quarantine due to a contagious illness.
- Illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child. The school will not require a doctor note for these.
- Student is a subject of a court hearing or for other justifiable personal reasons such as religious holidays or ceremonies if the absence is requested in writing by the parent and approved by principal or designee.

-
- Time with an immediate family member (parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil) who is on active duty in the uniformed services and has immediately returned from or is on leave from deployment or is being called to active duty, with the time determined at the Superintendent's discretion. (**Ed. Code 48205**)
 - Attending the pupil's naturalization ceremony to become a United States citizen.
 - Participating in a cultural ceremony or event.
 - Other absences for valid excuses, including a pupil who holds a work permit to work for no more than 5 consecutive days in the entertainment or allied industries and a pupil who participates with a not-for-profit performing arts organization in a performance for a public school pupil audience for a maximum of up to 5 days per school year if the pupil's parent/guardian provides a written note to the school authorities explaining the reason for the absence. (**Ed. Code § 48225.5 and 48260**)
 - Jury Duty in a manner provided for by law.
 - Serve as a member of a precinct board for an election pursuant to Elections Code section 12302.
 - Other absences authorized at the discretion of the principal. (**Ed. Code 48205**)

BICYCLE/SKATEBOARDS/SCOOTER SAFETY

Students riding bicycles, scooters, skateboards, or inline or roller skates to and from school must wear an authorized safety helmet. Students must walk bicycles, scooters, skateboards, and skates on school grounds. If a skateboard or scooter is ridden to school, the student must walk on to the campus carrying the skateboard or scooter. The school will not be responsible for security of these items. Shoes with wheels are a safety hazard and are considered inappropriate attire for school. (**Vehicle Code 21212**).

BOMB THREAT, EMERGENCY REPORT, OR FALSE FIRE ALARM

It is a criminal offense to make an actual or fictitious bomb threat either in writing or verbally (such as over the phone via any social media, email or text). It is a misdemeanor (and may be a felony) to make a false report of an emergency or a false fire alarm by triggering the school alarm system. (**Penal Code 148.1, 148.3, 148.4**).

BULLYING/CYBERBULLYING

Bullying and cyberbullying are inappropriate behavior and will result in corrective and/ or disciplinary action. Repeated acts will result in more serious consequences. Report bullying and cyberbullying to the principal. Bullying is defined in **Education Code 48900**. The bullying definition includes any severe or pervasive physical or verbal act or conduct, including written or electronic communications, including but not limited to, sexual harassment, hate violence or harassments, threats, or intimidation that causes a hostile educational environment directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following: (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property; (B) Causing a reasonable pupil to experience substantially detrimental effect on their physical or mental health; (C) Causing a reasonable pupil to experience substantial interference with their academic performance; (D) Causing a reasonable pupil to experience substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Cyberbullying includes the creation or transmission and/or posting, originated on or off the school site, of harassing communications, direct or indirect threats, or other harmful messages, texts, sounds, videos, or images on the Internet, social media, or other technologies using an electronic device, including but not limited to telephone, computer, or any wireless communication device. Cyberbullying also includes electronic means of embarrassing another person or damaging another person's reputation, such as creating a burn page, new electronic presence or account, or breaking into another person's electronic account and assuming that person's identity to damage that person's reputation. Penal Code section 528.5 provides for criminal punishment and a civil law remedy for impersonating another person on the Internet. Cyberbullying that may result in school-issued discipline includes off campus conduct during non-school hours that poses a threat or danger to the safety of staff and/or students or causes or is foreseeably likely to cause a material and substantial disruption of school.

CHILD ABUSE/MANDATORY REPORTS/POLICE CONTACT

The following offenses require school personnel to file a report to the police and/or other legal agency:

1. A deliberate, willful, or non-accidental act of inflicting physical injury upon a minor student by another student which requires medical attention beyond the level of school-applied first aid. (**Penal Code 11165.6 and 11166**)
2. Neglect or abuse of a child, including but not limited to, a deliberate, willful, or non-accidental act of inflicting physical injury by any person upon any minor which requires any medical attention. A report must be made to the police. (**Penal Code 11164 -11172**)
 - Information relating to child abuse reports can be shared only with the entities expressly authorized by law to receive the information. A school is not allowed to share child abuse report information with a parent/ guardian. Violating the confidentiality requirements is a misdemeanor. The identity of the reporting party is confidential. You may contact CPS with any questions. (**Penal Code 11167 and 11167.5**)
3. Actual or reasonably suspected sexual abuse, physical abuse, or neglect of any minor child. A report must be made to the police. (**Penal Code 11165.1, 11165.6, 11166**)
4. An attack or assault on, or a physical threat against, any school employee by a student. (**Ed. Code 44014**)
5. A directly communicated threat by a student or any person to inflict unlawful injury upon any person or property to keep a school employee from fulfilling any official duty or to get the school employee to do any act in the performance of his duties. (**Ed. Code 44014; Penal Code 71**)
6. Before suspending a student from school for an assault upon any person with a deadly weapon or by force likely to produce great bodily injury. (**Ed. Code 48902(a) and Penal Code 245**)
7. Possession, use, sale, furnishing, or being under the influence of any controlled substance, alcoholic beverages or intoxicants, including glue containing toluene. The police will confiscate such items. (**Ed. Code 48902(c), 48900(c)**)
8. Acts of school misconduct, including truancy or tardiness, in violation of court-imposed conditions of probation. (**Ed. Code 48267**)
9. Offering, arranging or negotiating to sell any controlled substance, alcohol or intoxicant and

selling, delivering or furnishing a look-alike substance. (Ed. Code 48902(c) and 48900(d))

10. Violations of **Penal 626.9** (firearm possession) and **626.10** bringing or possessing a dirk, dagger, ice pick, knife with a blade longer than 2 ½”, folding knife with a locking blade, unguarded razor blade, taser, stun gun, BB or pellet gun or spot marker gun (e.g. paint gun). (Ed. Code 48902(c))
11. Violation of **Education Code 48915(c)(1)** (firearm possession, sale or furnishing) and (c)(5) (explosive possession) by a student or non-student on a school site. (Ed. Code 48902(c))

CLASSROOM PLACEMENT

All classroom placement decisions will be made by the school principal. The school principal may consult with and/or receive input from teachers and school or District staff in determining the best classroom placements for children.

All school or District staff or administrators involved in the process shall make classroom placement decisions without regard to race, color, ethnicity, national origin, immigration status, or any other basis protected by applicable law unless the school or District is specifically authorized to take such factors into account.

COMMUNICABLE DISEASES

Santa Clara County Public Health Department has strict guidelines that all school districts must follow regarding communicable diseases. **When diagnoses of certain communicable diseases are confirmed, notification is sent home to all students in that classroom regarding possible exposure.** For a health concern that may involve an entire school community, the Public Health Department works closely with the Oak Grove School District Nurses to ensure appropriate information is distributed to all families within that community. The School District Nurses can be reached at (408) 227-8300.

CONDUCT ON SCHOOL BUS

SCHOOL BUS RULES AND REGULATIONS:

(5 CCR 14103, 13 CCR 1217, Civ. Code 54.2 and Ed. Code 39831 & 39839)

1. Obey all of the driver's instructions in a prompt and cooperative manner.
2. Remain seated at all times, with the seat belt fastened if the bus has seatbelts, while the bus is moving and until the driver arrives at the stop and the bus door is opened.
3. Drinking or smoking or other unlawful behavior is NOT permitted on the bus.
4. Show respect for others at all times and refrain from all forms of harassment or bullying.
5. Talk quietly; profane language and yelling are not allowed.
6. Pushing, hitting, kicking, fighting, and other inappropriate physical contact are prohibited.
7. Eating is not permitted on the bus except for students with diabetes.
8. Head, arms, hands, and legs must be kept in the seat while on board and cannot be hanging out the window.

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9. Animals (except for guide, signal, or service dog), glass containers, large articles, dangerous objects, and radios shall not be brought on the bus.
 10. Do not deface any property on the bus. Do not write on, draw on, or cut seats or other parts of the bus.

**CONSEQUENCES OF SEVERE OFFENSES OR
ILLEGAL ACTIVITIES ON BUSES: (5 CCR 14103)**

1. Bus privileges will be suspended for continued disorderly conduct or persistent defiance of the driver's instructions.
2. Parents are responsible for providing transportation to and from school in cases where bus riding privileges have been suspended.

BUS SAFETY SUGGESTIONS:

1. Be careful approaching the bus stop. If there are no sidewalks, walk on the left side of the road facing traffic.
2. Cross the road in front of the bus AFTER the driver has signaled it is safe.
3. While waiting for the bus, remain out of the road and away from private property.
4. All passengers should use care when getting ON and OFF the bus. ALWAYS USE THE HANDRAIL.

There is no requirement to provide transportation except for students with special needs as required by the student's IEP.

CONFIDENTIALITY

Information about your child's academic performance or behavior is confidential and will be shared only as authorized by applicable law, including with those employees directly responsible for providing necessary services to your child. Your child's cumulative record is also confidential and is available for your review by appointment with the school principal or designee.

Release of Directory Information: Unless prohibited by the parent/guardian in accordance with law, directory information, which school officials may disclose, consists of the following: name of student, address, telephone number, date of birth, participation in officially recognized activities and sports, dates of attendance, awards received, photographs, and most recent previous school attended. Directory information shall not be released regarding any student whose parent/guardian notifies the School District in writing that such information may not be disclosed. Directory information may be released to employer or prospective employers, the media and non-profit organizations unless the School District denies or limits access based on a student's best interest. Directory Information may also be released to high schools or high school districts that request information to communicate with parents of students approaching high school age. Directory Information may also be released to law enforcement or similar public entities for law enforcement or similar reasons.

CORPORAL PUNISHMENT

Corporal punishment, defined as the willful infliction of physical pain as a disciplinary measure, is prohibited by law. Employees are authorized to exercise reasonable and necessary force or physical control over students to keep the students from harming themselves and others, to quell a disturbance threatening injury or property damage, to obtain possession of weapons or dangerous objects, to protect property and to maintain order and conditions conducive to learning. (Ed. Code Sections 49001 and 44807)

CUSTODY, VISITATION, AND PICK-UP ARRANGEMENTS

The School District believes that school staff should support each parent to make a contribution to the child's learning. Custody issues can be challenging, and the School District is committed to provide a physically and emotionally safe environment in order to maintain a positive learning environment. If the parents are separated or divorced, each parent needs to communicate with children outside of school hours. Children will not be removed from class to talk to a parent if a parent tries to reach children by calling the school. For family, custody, visitation and pick up arrangements, we ask that families manage any challenges or concerns outside of the school setting in order to maintain a positive learning environment. (See also the section titled Emergency Cards for additional information and information for restraining orders).

DETENTION

Detention will not be assigned during lunch or recess and will not be assigned for more than 1 hour after school closes except as authorized by applicable law. (5 CCR 352-353).

DUE PROCESS

Students have the right to due process for suspension and expulsion. Due process for a suspension includes:

- Notice of the reason for the disciplinary action or charges against the student.
- Notice of other means of correction that were attempted before the suspension as required under **Ed. Code 48900.5**.
- An explanation of the evidence by school authorities.
- The opportunity for the student to explain the student's version of the incident and evidence in the student's defense.

ELECTRONIC COMMUNICATION DEVICES

Wireless electronic communication devices include, but are not limited to cell phones, personal data assistants (PDA), iPads, smart watches, AirPods or similar devices, laptop computers with cellular/phone/email/video/PDA capability and two-way radios. **The School District reserves the right to determine the educational value of any new electronic wireless communication device, which may become available to the general public in the future.** Electronic communication devices shall be turned off during the school day except when being used for a valid instructional or other school related purpose as determined by the teacher or other District employee. Any device with camera, video or voice recording function shall not be used in any manner to record or take photos of others at school or which infringes on the privacy rights of any other person. If disruption occurs, the employee may direct the student to turn off the device and/or confiscate the device until the end of the activity, class period, or school day. **Oak Grove School District shall not assume responsibility for theft, loss, or damage to any items (electronic or otherwise) that staff confiscate, e.g., iPods, PDA, iPhones, Phone, AirPods, etc.**

Students who engage in inappropriate use, access or sharing of personal, school, or individual electronic data will be subject to disciplinary action. Inappropriate electronic communications which are demeaning, harassing, bullying, or teasing based upon sex, race, ethnicity, religion, disability (physical and mental), immigration status, sexual orientation, or perceived sexual orientation, or any other protected category under applicable law will be subject to legal and/or disciplinary action.

The following guidelines apply when going to and from school, at school, or to and from or while at a school-related activity on or off school grounds. Cell Phone Use

Under **Education Code Section 48901.5**, the school is authorized to regulate possession or use of cell phones by students who are on campus, who attend school-sponsored activities, or who are under the supervision and control of School District employees.

Cell phones may be brought to school, unless the student loses the privilege of bringing a phone to school.

A student who brings a cell phone to school is responsible for ensuring that the cell phone does not disrupt class or any school function such as transportation to or from school. Cell phones, Air Pods and similar devices, must be turned off during the school day and at all school functions and kept out of sight during all class time and testing time except when being used for a valid instructional or other school related purpose as determined by the teacher or other District employee. Students may not telephone, text, listen, or otherwise use cell phones during the school day.

If a phone rings or vibrates during class or other school activity (including while riding a school bus), the teacher or other staff will determine consequences, which may include asking the student to hand over the phone or turning it into the school office. If a disruption occurs, the employee may direct the student to turn off the device and/or confiscate the device until the end of the activity, class period, or school day. The school office staff will keep the cell phone until the parent or guardian comes to school to pick up the cell phone.

A student is prohibited from using the cell phone's camera and/or video functions except when being used for a valid instructional or other school related purpose as determined by the teacher or other District employee, while on campus, while at a school activity, or while under the supervision of school staff whether on or off campus.

Cell phones must not be used for bullying, harassing, threatening, or teasing of students or school staff. Cell phones must not be used to send threats and must not contain photos that are sexually explicit, photos of nude or partly nude people, photos of undergarments, photos of illegal activities, or photos of unlawful acts, drugs or drug paraphernalia. Cell phones and AirPods or similar devices must not be used for cheating. Cell phones and other devices may not be used for video recording and/or posting a fight on social media or sharing the recording through other means.

By signing the Acceptable Use Agreement policy, student and parents are providing specific consent to any and all District employees to search or otherwise access and review electronic device information by means of physical interaction or electronic communication with any District-owned electronic device used or possessed by Student. District employees may search or otherwise access and review electronic device information by means of physical interaction or electronic communication with any non-District-owned electronic device whether the device is owned by the Student, Parent, or anyone else, if used or possessed by Student if the search/access is desired because of a good faith belief that it is necessary to prevent a present emergency and risk of death or serious physical injury to any person.

If a parent objects to the school viewing items on the phone or listening to or reading messages, then the parent shall not allow the child to bring a cell phone to school. The school may also share the cell phone with police when legally authorized.

If a student whose cell phone has disrupted the school refuses to turn their cell phone over to staff immediately when requested or if a student uses a cell phone in a manner that violates this handbook or other school rules, the student will be disciplined for disruption and/or willful defiance, up to and including suspension when legally authorized, and the student may be prohibited from bringing a cell phone to school or school activities.

The school is not responsible for any lost or stolen phones, even if the student has turned the phone over to staff.

EMERGENCIES AND "LOCKDOWNS"

The safety of children and personnel is the paramount priority of the Oak Grove School District. The schools and District have plans in place to deal with emergencies and support a safe and secure learning environment.

Lockdowns: A "LOCKDOWN" alert refers to a set of school lockdown procedures to protect children and staff from a potential violent incident. In the event of a school "LOCKDOWN," students will be kept inside their school until the threat, or possible threat has been resolved. If your child's school is in a lockdown situation, **you will not be able to gain access to the school until the incident causing the lockdown has been resolved. As parents pick up their children after the lockdown ends, please keep in mind that students will only be released to persons listed on your child's School Emergency Card, so please be sure to keep the card updated.** Each school conducts a "LOCKDOWN" drill annually, under the guidance of the School District and the San Jose Police Department's School Liaison Unit. A "SHELTER IN PLACE" alert refers to a set of perimeter "LOCKDOWN" procedures to protect children in response to an external threat, or police action in the immediate area that may potentially reach the school campus. Under this scenario, access to the school may be restricted or delayed, and classroom instruction may continue inside the building with controlled class change until further instructed.

EMERGENCY CARDS

The school emergency card, completed by parents or guardians at the beginning of each school year, is a vital communication tool between parents/guardians and the school. The thorough completion of this card is essential in case of an emergency involving your child. It is critical you pay close attention to details and provide the following information:

- Accurate phone numbers
- Emergency contact names
- Complete medical information (including medications)

An emergency card that is thorough and accurate helps to ensure that your child gets the very best care possible while at school. In the case of restraining orders and legal actions (which the school should be aware of) against an individual who is involved with your child, the following guidelines should be noted:

- Copies of court orders or explanation of the situation should be submitted with the emergency card

If your child is regularly taking medicine for an ongoing health problem, even if he or she only takes the medicine at home, give a written note to the Health Clerk or designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it or when any new medication is prescribed (Ed Code 49480).

****Birth parent(s)/legal guardian(s) will be allowed to visit their child at school unless a written court order expressly limits or prohibits such visits or participation****

When it is necessary for a student to be checked out of school during the school day, an adult (over the age of 18), who is listed on the emergency card, must sign them out and may be asked to show identification if not known to the school staff. We recommend that you keep a copy of the emergency card in a location at home where you will frequently review it and **contact the school with any updated information**. Parents may access their information through the Parent Portal. It is important that you do this on a regular basis. If any of your information changes or an issue arises with an individual previously authorized to pick up your child, immediately contact the school and inform them of the changed circumstances and changes to the card. If a school employee is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care before contacting Child Protective Services.

EXCLUSIONS FROM SCHOOL ATTENDANCE

A student who is suffering from a contagious or infectious disease or whose presence constitutes a clear and present danger to life, safety, or health may be excluded from school. Students who do not have state-required immunizations may be excluded and cannot be admitted until immunizations are completed, unless a legal exception applies. (**Ed. Code 48213, 48216, 49451, Health and Safety Code 120325, 120335, 120370 and 120372**).

FRIDAY SCHOOL

Each school with 7th and 8th grades is authorized to maintain a Friday School or alternative day, if necessary, to which elementary and/or 7-8 students may be assigned for:

- unexcused absences
- tardiness
- other unacceptable behavior (in lieu of suspension or an alternative to suspension)

GRADUATION REQUIREMENTS-8th Grade

Participation in the graduation ceremony is a privilege that is earned through demonstrating positive behavior and satisfactory academic progress through grades. District requirements for participation in the graduation ceremony and activities include:

1. Achieve a grade point average (GPA) of at least 1.50 in one of the two semesters in 8th grade (January or June report card) and
2. Receive no more than three (3) total semester grades of "F" for the entire year of 8th grade and no more than two (2) "F" grades on the second semester report card for 8th grade.

Semester grades will be used to determine grade point averages (GPA) based on the following equivalents:

A-4.0

B-3.0

C-2.0

D-1.0

F-0.0

HEAD LICE

Based on recommendations and guidelines from the American Academy of Pediatrics, the Center for Disease Control, the National Association of School Nurses, and the California Department of Public Health, Oak Grove School

District has a NO live lice policy.

If live lice are found on a child at school, the parent/guardian will be called and asked to pick up their child by the end of the school day. The student will remain in class until parent pick up and every effort will be made to maintain the privacy of the affected student. The parent/guardian of a student with live lice will be asked to complete the *Lice Treatment Form* and return it to school, when their student returns.

The procedure for returning to school, AFTER an appropriate/recommended treatment has been administered:

- The parent/guardian must bring their child to the office to be re-examined upon arrival at school
- Student will be admitted if NO live lice are present
- If nits are present, the parent/guardian will be requested to continue daily nit removal and observation for the presence of live lice
- If live lice are still present, the student will be sent home

The student will be permitted to miss the day of dismissal plus one day excused absence. Every effort should be made to have the student back to school the next day. Any time away from school after the day of and plus one, will be considered unexcused and truancy rules will apply.

OGSD recognizes that there are situations where the infestation can be difficult to eradicate. The School District Nurses are available to help at any time.

Please refer to OGSD board policy for more information. (BP 5141.33)

HEALTH INFORMATION

Illness/Accident

School Secretaries and Health Clerks are trained in CPR and First Aid. By law, school personnel may only render first aid where needed, NOT prescribe or diagnose an illness or accident. Parents/Guardians or a designated emergency contact will be notified whenever a significant accident or illness occurs. Student's well-being is our first priority - in an emergency, 911 will be called.

Guideline for Student Exclusions:

Any student with the following condition/s will be excluded from school:

- **Fever (Over 100 degrees Fahrenheit):**
May return to school when student has been without a fever for 24 hours without use of fever reducing medicine; if a student is sent home with a fever during the school day, they **MAY NOT** return the next day
- **Red eyes, with eye drainage:**
May return when the eyes are clear or a doctor's note states, "Non-contagious" or "Under treatment"
- **Rash:**
May return when rash has cleared or a doctor's note states, "Non-contagious" or "Under treatment"
- **Vomiting/diarrhea:**
Must be free from vomiting/diarrhea for 24 hours before returning
- **Child has sustained an injury that requires medical attention:**

Please provide doctor's note upon return to school

If there is any doubt as to whether your child is ill, please keep the student home and consult your physician. This will protect your child, as well as the other children in school.

HEALTH REQUIREMENTS FOR SCHOOL ENTRY

TB Requirements:

All Kindergarten students, and students transferring from outside Santa Clara County, must have *Santa Clara County Public Health Department TB Risk Assessment for School Entry* form and provide written documentation upon enrollment. This form must be completed by a licensed health care provider within 12 months prior to school registration. If student transfers outside Santa Clara County and comes back within 12 months, there is no need for a new TB Risk Assessment/testing. Students transferring within Santa Clara County must provide the written documentation upon enrollment. A copy of the Risk Assessment form is acceptable proof.

Immunization Requirements:

TK/KINDERGARTEN (Ages 4-6):

Immunizations:

| | |
|--------------|--|
| Polio | 4 doses (3 doses OK <u>if</u> one was given on or after 4 th birthday) |
| DTaP | 5 doses (4 doses OK <u>if</u> one was given on or after 4 th birthday) |
| MMR: | 2 doses (both given on or after 1 st birthday) |
| Hepatitis B: | 3 doses |
| Varicella: | 2 doses |

Physical Examination:

A statement signed by a physician/health practitioner verifying that the student has had a physical examination within 6 months prior to entering kindergarten. *If the child had a physical examination for preschool entry, please contact your school health clerk.*

Dental Examination:

Oral Health Assessment Request form completed by a dentist within 1 year prior to entering kindergarten.

7TH GRADE or Ages 7-17:

Immunizations:

| | |
|--------------|--|
| Polio: | 4 doses (3 doses OK <u>if</u> one was given on or after 2nd birthday) |
| DTaP: | 5 doses (4 doses OK <u>if</u> one was given on or after 4 th birthday) |
| Tdap: | 1 dose on or after 7 th birthday; DTaP or DTP is acceptable |
| MMR: | 2 doses (both on or after 1 st birthday) |
| Hepatitis B: | 3 doses recommended |
| Varicella: | 2 doses |

*These immunization requirements reflect the changes made on July 1st, 2019 by the California Department of Public Health.

**Only documentation from a medical provider will be accepted.

HOMEWORK

Oak Grove School District believes that homework contributes toward building responsibility, self-discipline, and life-long learning habits, and that time spent on homework directly influences a student's ability to meet the School District's academic standards. Homework assignments may reinforce concepts presented in class, enhance or further develop concepts, and/or provide opportunities for individual learning or research. A method of communicating homework requirements and/ or expectations to parents is established at the school site and will occur on a regular basis. Students who miss schoolwork because of an excused absence or suspension will be given the opportunity to complete all assignments and tests that can be reasonably provided. Students will receive full credit for work satisfactorily completed within a reasonable period of time and by the deadline the teacher sets. Homework shall not be weighted more than 25 percent of a student's grade on an individual report card period. **(BP 6154)**

HUMAN DIGNITY POLICY

The Board of Education, recognizing that we are a multiracial, multiethnic, and multilingual School District, believes it is part of our mission to provide a positive, harmonious environment in which respect for the diverse makeup of the school community is promoted. Human dignity is reflected in attitudes and behaviors toward others and self. Human dignity is characterized through respect, sensitivity and care exhibited in the interaction of staff, students, and parents.

The School District will not tolerate behavior by members of the school community which insults, degrades, or stereotypes any race, sex, pregnancy/childbirth, gender, mental or physical disability, ethnic group, perceived or actual sexual orientation, gender identity, gender expression, age, national origin, ancestry, religion, color, immigration status, association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by applicable law. **(5 CCR 4900; Ed. Code 221.51)**

IMMIGRATION STATUS

In compliance with law **(AB 699 and Education Code 234.7)**, the School District will not gather information or documents on immigration status and will not assist immigration enforcement except as required by applicable law. Students have a right to a free public education regardless of immigration status or religious beliefs. Students are not to harass or bully other students based on their actual or perceived immigration status or religious beliefs.

Your Child has the Right to a Free Public Education

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians
- In California
- All children have the right to a free public education.
- All children ages 6 to 18 years must be enrolled in school.
- All students and staff have the right to attend safe, secure, and peaceful schools.

-
- All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - All students have equal opportunity to participate in any programs or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics (BP 0415: Equity).

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the students' parents or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in a school.

Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools obtain written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory information policy, and let you know of your option to refuse to release your child's information.

Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You 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 your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied based on the student's actual or perceived nationality, ethnicity, or immigration status.

INDEPENDENT STUDY (SHORT TERM)

Your child may be eligible for independent study if he/she will be absent for reasons other than illness for a period of more than five days but not to exceed ten days. Please contact the school at least three school days prior to the absences to draw up a plan of study.

INTER-DISTRICT AGREEMENTS

Inter-district transfers, between Districts, must be approved by both districts. Oak Grove School District approves inter-district agreements on an annual basis. Inter-district transfers can be revoked should all of the requirements not be met (e.g., maintaining grades, attendance and acceptable behavior). Parents providing false or inaccurate information will result in the student's transfer being revoked. All students committing one suspendable offense may result in the transfer being revoked.

INTERFERENCE WITH EDUCATIONAL PROCESS

Any person who willfully interferes with the discipline, good order, lawful conduct, or the administration of any school class or activity is guilty of a misdemeanor. (Ed. Code 44810-11; Penal Code 626.4-626.8)

INTRA-DISTRICT TRANSFERS

When space is available, Oak Grove School District offers parents of elementary and intermediate students an opportunity to apply to a school other than their neighborhood school. This option is provided through Intra-district transfer process. For more information, please call the School District Office at (408) 227-8300, ext. 100267 or refer to our district website: <https://www.ogsd.net/enrollment/registration>

LITTERING

It is a misdemeanor or an infraction for anyone to leave litter or dump waste on school property or public property. (Penal Code 374.3)

LOCKERS

Lockers are property of the Oak Grove School District on loan to students for use. Lockers may be searched during general inspection of school properties or when there is reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the School District or the school.

LOITERING

Any person who loiters on or near any school property is a vagrant and is guilty of a criminal offense. (Penal Code 653b).

LOST OR CONFISCATED ITEMS

Oak Grove School District shall not assume responsibility for theft, loss or damage to any items, electronic or otherwise, even if confiscated, including but not limited to iPod, iPhone, iPad, smart watch, Air Pods, PDA, cellular phone, Kindle, notebook, laptop, and similar items.

MANDATED TESTING

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

California Assessment of Student Performance and Progress

1. Smarter Balanced Assessment Consortium Assessments
2. California Science Tests (CAST)
3. California Alternate Assessments (CAA)
4. Standards-based Tests in Spanish (STS) for Reading/Language Arts

Pursuant to **California Education Code Section 60615**, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

English Language Proficiency Assessments for California

- For students identified as language learners per home language survey.
- Parents cannot “opt out” because English language proficiency assessment is both a federal (**ESSA Title I, § 1111(b)(2)(G), 20 USC § 6311**) and state (**Ed. Code § 313**) requirement.

Physical Fitness Test

The physical fitness test (PFT) for students in California schools is the FitnessGram®. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades five, seven, and nine take the fitness test.

MEDICATION IN SCHOOL

Any student who is required to take medication during the school day may do so under the supervision of designated school personnel provided a Medication Administration in School form has been completed by **both** the physician and parent/guardian. A new Medication Administration in School form must be completed at the beginning of each school year. Any pupil who uses medication in a manner other than as prescribed is subject to discipline. (**Ed. Code 49423, 49423.1**) In addition, see **Oak Grove School District Board Policy 5141.21**.

Medication must be supplied by the parent or guardian in the original prescription container, and be clearly labeled with student’s name, medication name, dosage, and directions. **The label must match the physician’s orders** on the Medication Administration in School form. No medication, including any over-the-counter medication (e.g. Tylenol, Advil, cough syrup, eye drops, etc.), will be stored or dispensed without a completed Medication Administration in School form. All medication must be picked up by a parent/guardian at the end of the school year.

A new Medication Administration in School form must be completed by the physician whenever there is a change in the medication dosage, time schedule or directions. **A parent may not instruct authorized school personnel to administer medication to the child at a time other than the time ordered by the physician. All changes to the medication orders must come from the physician. Designated school personnel may refuse to take possession of medication, if any portion of the required documentation or medication container is believed to be incorrect.** All medication will be stored in a locked container or cabinet in the School Health Office, except if parent/guardian and physician have completed proper documentation and submitted that to the School Health Office-that the student may be allowed to self-carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication. The decision for students to self-carry and self-administer any medication, may be made at the discretion of designated school personnel.

NOTE: Students are not allowed to transport medication to and from school. All medications must be delivered to the School Health Office by a parent/guardian.

MOVING/DISCONTINUING ENROLLMENT

If you are moving and/or your child will no longer be attending the school where he/she is registered, please contact the school to inform them.

OPEN/CLOSED CAMPUS

In order to keep students in a supervised, safe and orderly environment, our Board of Trustees has established a closed campus policy at all District schools.

Students shall not leave school at recess, or at any other time before their scheduled dismissal at the end of the school day except with written permission of the parent/guardian and in the custody of an authorized adult. Please be sure to keep your Emergency Card updated with authorized adults. Information may be updated using the Parent Portal. Students who leave school without authorization shall be subject to disciplinary action.

For additional information regarding open/closed campus, see **Board Policy 5112.5**.

OUTSIDE ACTIVITIES

The Oak Grove School District works hard to ensure that all of our students succeed in school. For that reason, we limit participation in after-school activities to those students achieving at least a 2.0 grade point average. We extend that philosophy and practice to non-school related activities also. We hope outside organizations support this concept also. Several outside organizations require the signature of an administrator from the child's school for the child to be eligible to participate in their sponsored activity. The principals in the Oak Grove School District will not sign any form, stamp, or place a seal on any form unless the child is at or above a 2.0 GPA.

OVERDUE, DAMAGED, OR LOST INSTRUCTIONAL MATERIALS

Instructional materials are an expensive resource. Procedures are established to protect instructional materials from damage or loss.

Instructional materials provided for use by students remain the property of the School District. Students are responsible for returning borrowed materials in a timely fashion and in good condition, with no more wear and tear than usually results from normal use.

If the property has been willfully cut, defaced, or otherwise damaged, or if the student refuses to return it on demand to an employee of the School District, the School District may, after affording the student due process rights, withhold the grades, diploma, or transcripts of that student until the parent/guardian or the student has paid for the damages to the property. The School District will notify the student's parent/guardian of the student's alleged misconduct before withholding the student's grades, diploma, or transcripts. If the parent/guardian, or the student is unable to pay for the damages or to return the property, the School District will provide a program of voluntary work for the student in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, transcripts, and/or diploma shall be released. **(Ed. Code 48904 and 48904.3)**

PARENT/GUARDIAN VISITATION

Oak Grove School District Board Policy 1250 outlines appropriate classroom/school visitation guidelines, which have been established to provide opportunities to visitors for observation, visitation, and parent/guardian staff contact while protecting the classroom learning environment. It is important that parents/guardians realize that their presence

in the classroom/school as an observer has an impact on their child and the class/school in general. The teacher and the school principal will help parents/guardians understand this impact and will make the final decision about the duration and time of the visit. A twenty-four hour notice for visitation is required by the school principal. Any person who is not a student or staff member must register immediately at the office upon entering any school building or grounds when school is in session.

PETS AT SCHOOL

Animals are not to be brought on school grounds, including programs, assemblies, classrooms, or when students are present on school grounds without prior written consent from the teacher and principal. **With prior permission**, dogs may be brought, but must be connected to a leash and under control at all times. All requests to bring an animal on school grounds must be arranged by an adult over the age of 18. *Service animals are the exception to this practice.* (Ed. Code 32255).

PHYSICAL EDUCATION

Students in District schools serving grades 1-6 and grades 1-8 are provided 200 minutes of physical education each ten school days. (Ed. Code 51210 and 51223) Physical fitness and performance assessment results are available upon request and are sent home with individual students. At the elementary school level, low heeled or flat, close-toed shoes should be worn for safety during recess and physical education.

Students are required to change for physical education in the Intermediate grades due to safety and hygiene reasons. The requested PE clothing for 7th grade students, district wide, is a grey t-shirt and black shorts. All 8th grade students will be allowed to wear the PE clothing from the prior year. Parents may choose to purchase PE clothing on campus, but the school does not require that parents purchase the school-sold PE clothes.

Many parents prefer to purchase the school-sold or other grey shirts and black shorts for their child to ensure a good fit. If a parent does not want to or is unable to purchase PE clothes, the school will provide a student with PE clothes, which must be returned at the end of the year.

Students will be issued a school-owned combination lock for their personal possessions in the PE locker. Students have the option of purchasing a school-provided lock in order to allow students to keep the lock and maintain the same combination for 2 years as well as continued use through High School. A copy of the combination will be kept on file for students and parents.

PORNOGRAPHY

Any person who sells, rents, distributes, sends, causes to be sent, exhibits or offers, or displays any harmful matter to a minor, including pornographic matter in the form of pictures or videos, is guilty of a criminal violation, and a student violator will be subject to disciplinary action. (Penal Code 313.1; Ed. Code 48900)

PROFANITY, VULGARITY, OBSCENE ACTS

Students who commit an obscene or sexually explicit act or are engaged in habitual profanity or vulgarity are subject to disciplinary action including suspension and expulsion. (Ed. Code 48900)

PROGRAM OPTIONS

Oak Grove School District offers a variety of program options. For more information, please refer to the “Program Options” brochure available in the front office of every school site or by selecting the following link:

https://www.ogsd.net/apps/pages/index.jsp?uREC_ID=586611&type=d&pREC_ID=1358240

PROMOTION/RETENTION

The School District expects each student to progress systematically through the grade levels and to meet grade level standards of academic achievement. School staff will identify students who have failed to meet or who are at risk of failing to meet standards as early in the school year as possible. Final decisions related to retention will be made by the classroom teacher by May 30. Attachment D.1 provides additional details and timelines related to promotion/retention and graduation requirements or last school day in May.

RESTITUTION

In a situation of vandalism or conduct causing damage to school buildings, grounds, electronic equipment/databases or the property of an individual at school, the parents of the minor(s) found to be responsible will be liable for costs incurred in the repair and restoration of the property to its original condition. (**Ed. Code 48904-48904.3**)

SEARCHES

A student's attire, personal property, or school property (including books, desks, backpacks, and school lockers) may be searched by a principal or the principal's designee when there is reason to suspect a student possesses illegal items or illegally obtained and/or possessed items. These may include but are not limited to illegal substances, drug paraphernalia, weapons, stolen property, or objects or substances that may be injurious to the student or to others.

SEXUAL HARASSMENT

The School District is committed to providing an environment free of sexual harassment and maintains a strict policy prohibiting such harassment. It is also unlawful to harass another individual because of any basis protected by law. (~~See Human Dignity Policy 5145.4 for other protected categories~~). A student in grades 4 through 12 may be suspended from school and/or recommended for expulsion if the principal of the school in which the student is enrolled determines that the student has committed sexual harassment including comments about perceived sexual orientation, sexual orientation, gender expression, and/or gender identity if the conduct described meets the legal standard such as having a negative impact upon the individual's academic performance or creating an intimidating, hostile, or offensive educational environment. (**Board Policy , 5145.7. Ed. Code 48900.2, 212.5**)

SODA POP LAW

No soda pop may be sold to a student at elementary or intermediate school at any time (except a fundraiser at least 30 minutes after school) from the midnight before school starts to one half hour after the school day has ended. (**Ed. Code 49431.5**)

STUDENT VIOLENCE AND REPORTING REQUIREMENTS

The School and District will not tolerate student threats, acts of violence, or jokes of violence that cause or are likely to cause a substantial disruption to school operations. The welfare of our students requires that the school be notified immediately of potential security risks. You must immediately notify your principal, teacher, or other school employee:

- When a person is acting in a suspicious manner in or around the school.
- When you know, suspect, or have heard that an individual is suspected or has possession of any

knife, weapon, firearm (toy, imitation or otherwise including BB/air soft or plastic pellet gun) or dangerous object at school.

- When you know, suspect, or have heard of any violent or potentially violent incidents, planned fights, threats, jokes of threats or violence, or concerns of a risk for violence or other disturbance.
- When you believe the school is otherwise not secure or safe.

The School will investigate and discipline students who breach this policy, up to and including suspension and/or expulsion. A student's failure to report any possible risk may be aiding or abetting and will result in student discipline against the student who failed to report, including but not limited to suspension, possible expulsion if warranted under applicable law, and/or police referral as a possible accomplice. (Ed. Code 48900)

THREAT TO EMPLOYEE

A student who threatens to inflict injury upon a school employee is subject to suspension and/or expulsion from school. Verbal abuse of a teacher in or outside of the presence of other school personnel or students on school premises or at any assigned school activity or otherwise related to school activity or attendance will lead to suspension and/or expulsion if it causes or is likely to cause a substantial disruption to school operations. It is the duty of a school employee to report an attack, an assault, or a physical threat by a student promptly to law enforcement authorities. Failure to do so is an infraction punishable by a fine up to \$1,000. Any person discouraging such a report is guilty of an infraction punishable by a fine of not less than \$500 and not more than \$1,000. (Ed. Code 44014, 48900, 48900.4; Penal Code 71)

WELLNESS POLICY

The Oak Grove School District recognizes the link between student health and learning, and desires to promote healthy eating and physical activities for students.

Student wellness and health literacy is supported, promoted, and reinforced through health and physical education, psychological and counseling services, as well as a safe and healthy school environment.

BEHAVIOR EXPECTATIONS

Oak Grove School District will take appropriate corrective and/or disciplinary actions for serious offenses. All violations will be addressed with appropriate consequences because consistent application of expected behavior standards is crucial in maintaining an orderly, purposeful, and safe school environment free from harassment, weapons, drugs, tobacco, vandalism, and the threat of physical harm. Students who threaten or cause physical harm to anyone will be appropriately disciplined. Students who threaten or cause physical harm to anyone through the possession of, use of, or threatened use of weapons or dangerous objects may be arrested, suspended, and recommended for expulsion. Similar disciplinary steps will be taken in cases involving the sale of controlled substances, alcohol, or intoxicants at school, on the way to or from school, and while going to or coming from a school-sponsored activity, while at any school-sponsored event, ~~and during lunch whether on or off school grounds.~~ All behaviors that are required to be reported to the police will be reported to the police, followed by suspension and possible expulsion.

STUDENT SUSPENSION AND EXPULSION DISCIPLINARY GUIDELINES***

Suspension, administrative transfer to another school as an alternative to expulsion, or expulsion may be imposed for the following acts when related to school activity or school attendance, which occur at any time, including but not limited to:

- While on school grounds
- While going to and from school, including while walking or on a school bus
- During the school day
- During or while going to or coming from a school-sponsored activity

Aid or Abet Physical Injury (or attempt)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion if juvenile court conviction

Arson (Fire damage or attempt to damage with combustible materials)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, restitution, administrative transfer, expulsion

Assault/Battery (Attempt to commit a violent injury, willful and unlawful use of force or violence)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Assault with Deadly Weapon

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Battery (See Assault/Battery)**Bullying**

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Dangerous or Explosive Objects (Includes but is not limited to possession or sale of firecrackers, stink bombs, aerosol cans, powder, matches, lighters, laser pointers of any type, shock or Taser devices, weapons or replicas, bombs, grenades, rockets, missiles, bullets, and similar devices and parts which can be assembled into a destructive device) - See also Weapons

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion (Required expulsion for firearms, explosives or brandishing a knife)

Defiance of Authority (Including academic dishonesty)

- Corrections include but are not limited to: Student conference, parent conference, teacher-issued suspension (any grade), administrative transfer, expulsion (No expulsion if the only violation is disruption or defiance/No suspension K-8).

Destruction of Property (Damage or Attempt) ** (Including Devices and Databases) **

- Corrections include but are not limited to: Student conference, parent conference, suspension, restitution, police notification, administrative transfer, expulsion

Disorderly Conduct - See also Willful Disobedience and Defiance of Authority

- Corrections include but are not limited to: Student conference, parent conference, teacher-issued suspension (any grade), police notification, administrative transfer, expulsion (No expulsion if the only violation is disruption or defiance/No suspension K-8).

Drugs (Use, sale, furnish, possession, being under the influence of, or other prohibited involvement with marijuana, alcohol, Soma, any intoxicant, controlled substance, paraphernalia, or look-alike substance)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion (Required expulsion for sale of a controlled substance)

Fighting (Mutual combat)

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Firearms - See Weapons

Forgery**

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Harassment (Physical; Bullying and Intimidation; Sexual, Racial or other unlawful harassment and Hate, Violence or Hate Crime) For grades 4 and up - See also Threats

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Hazing (Dangerous, harmful, degrading, or disgraceful initiations associated with a group)

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Knife - See Weapons

Obscene Acts (Gestures, verbal, written, drawn, photos, physical contact)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Profanity or Vulgarity

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, administrative transfer, expulsion

Receipt of Stolen Property**

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Restitution

- Students are liable for damage to any school or employee property including textbooks, computers, and or school equipment. Replacement cost is calculated by District guidelines.

Robbery or Extortion**

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Sexual Assault (or attempt) **or Sexual Battery:** Sexual battery is defined as touching breasts, buttocks, genitals, anus or groin (through or under clothing), against the will of the person being touched and for the specific purpose of sexual arousal, sexual gratification, or sexual abuse. Sexual assault includes rape, sodomy, oral copulation, and other types of sexual assault.

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification; (Required expulsion)

Smoking or Possession of Tobacco or Tobacco Products or Vape Pens

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, administrative transfer, expulsion. "Smoking" includes the use of electronic smoking device that creates an aerosol or vapor in any manner or in any form, or the use of any oral smoking devices. (Ed. Code 48900-48901 and B&P Code 22950.5).

Theft (stealing or attempting to steal) **

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, restitution, police notification, administrative transfer, expulsion

Threats (terroristic, bomb, other including bodily harm)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion.

Trespassing

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, police notification, administrative transfer, expulsion

Vandalism (graffiti, breaking of windows, breaking equipment, etc.)

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, restitution, police notification, administrative transfer, expulsion

Verbal Abuse

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, suspension, administrative transfer, expulsion

Weapons Including any Gun or Knife or Replica (Including but not limited to pocket knives, kitchen knives, Swiss army knives, utility knives, BB/Pellet/Air-soft guns, metal or plastic toy or other guns, homemade dangerous objects, chains or any dangerous object of no reasonable use.)

- Corrections include but are not limited to: Student conference, parent conference, suspension, police notification, administrative transfer, expulsion (Required expulsion for firearms, explosives or brandishing a knife)
- “Knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

Willful Disobedience, Disruption of School Activities, or Defiance of School Authority

- Corrections include but are not limited to: Alternative means of correction†, student conference, parent conference, teacher-issued suspension (any grade), police notification, administrative transfer, expulsion (No expulsion if the only violation is disruption or defiance/No suspension for K-8).

† Alternative means of correction include but are not limited to counseling, conferences, community service, and options in **Ed. Code 48900.5**. **Alternatives may be used for other offenses, even if not specifically stated, when the principal determines the alternative to be an effective means of correction.**

* Suspensions for an offense for which expulsion has been recommended may be extended up until the expulsion hearing is held pursuant to **Ed. Code 48911(g)**.

** In some cases, where appropriate, restitution for damages may be required.

*** **For some infractions, including but not limited to possession of any weapon (toy, imitation, or other including BB/air soft or plastic pellet gun) or dangerous object, an administrative transfer may take place as an alternative to expulsion.**

EXPULSION

Mandatory Suspension and Expulsion Referral

Education Code 48915(c) requires **immediate suspension, mandatory recommendation of expulsion and expulsion** for the following acts:

1. **Possessing, selling, or otherwise furnishing a firearm.**
2. **Brandishing a knife at another person.**
3. **Unlawfully selling a controlled substance.**
4. **Attempting or committing sexual assault or committing sexual battery.**
5. **Possessing an explosive.**

The Governing Board must set a date one year from the date of expulsion, except that the Governing Board may set an earlier date on a case-by-case basis.

Quasi-Mandatory Expulsion Referral (Unless Principal Determines Inappropriate)

Education Code 48915(a)(1)) requires **expulsion being recommended, unless the principal determines that expulsion should not be recommended or that an alternative means of correction would address the conduct** for the following acts:

1. **Causing serious physical injury to another person except in self-defense.**
2. **Possession of any knife or other dangerous object of no reasonable use to the pupil.**
3. **Unlawful possession of any controlled substance except first offense of a small amount of non-concentrated marijuana or prescription or over-the-counter medication for the pupil's use for medical purposes.**
4. **Robbery or extortion.**
5. **Assault or battery on a school employee.**

The Governing Board must set a date not later than the last day of the semester following the semester in which the expulsion occurred to review the pupil for readmission.

Discretionary Expulsion Referral

Other actions that may result in an expulsion being recommended pursuant to Education Code 48915 (b) or (e):

1. **Harassment, threats, injury, force, dangerous objects, drugs, alcohol, intoxicants, obscenity or vulgarity, paraphernalia, theft, extortion, robbery, property damage, receipt of stolen property, imitation firearm, witness intimidation, hazing, bullying, aiding/abetting physical injury, hate violence, hostile educational environment, or terrorist threats.**
2. **Other misconduct, including but not limited to violating rules in the handbook, misconduct listed in section "Student Suspension and Expulsion Disciplinary Guidelines," or misconduct listed in the Education Code sections authorizing expulsion.**

The Governing Board must set a date not later than the last day of the semester following the semester in which the expulsion occurred to review the pupil for readmission.

DUE PROCESS

The school principal or designee has the right to suspend a student for a period of up to five school days. If suspension is being considered, the principal or designee will meet with the student before the suspension, unless an emergency situation exists. (Ed. Code 48911). After the meeting is completed, the administrator decides if suspension is appropriate. The principal or designee will attempt to notify parents/guardian by telephone. A written notice of suspension will be sent.

The school principal has the right to recommend that a student be expelled from the School District. In cases where the principal recommends expulsion, a meeting will be offered to parents/guardians to explain the process and answer questions.

When the school principal recommends that a student be expelled, a hearing will be conducted before an administrative hearing panel unless the parents sign a stipulated expulsion agreement. Recommendations will be made by the hearing panel to the Board of Trustees.

If a student has violated a school rule or law and is subject to a suspension, administrative transfer to another school, or expulsion, the student and the student's parents or guardians will be formally notified. Part of the notification process will include an explanation of the process and an opportunity to ask questions.

SUSPENSION

Suspension from Class by Teacher

A teacher may refer a pupil to the principal for discipline or may suspend any pupil from the teacher's class for the day of the suspension and the day following. The teacher shall immediately report the teacher-issued suspension to the principal of the school and comply with the requirements for a teacher suspension. **The teacher has authority to suspend any student in any grade, for any reason in 48900, including disruption and defiance.** (Ed. Code 48900 and 48910)

Suspension from School by Superintendent, Principal or Principal's Designee

The superintendent, principal or designee may suspend a student from class, classes, or the school premises for a period not to exceed five school days unless the principal recommends expulsion and the Superintendent or designee extends the suspension.

Extension of Suspension Pending Expulsion

The Superintendent or designee may extend a student's suspension pending final Board of Trustees' decision on the recommendation of expulsion. (Ed. Code 48911.) The Superintendent or designee must schedule a meeting with the parent/guardian if an extension of suspension pending the outcome of the expulsion hearing appears warranted. After the meeting, the superintendent or designee must determine whether **the presence of the pupil would cause a danger to persons or property or a threat of disrupting the instructional process.**

Parent Notification by Administrator

A school employee shall make a reasonable effort to contact the student's parent or guardian in person or by telephone at the time of the suspension. (Ed. Code 48911(d)).

Notification:

The administrator shall report all suspensions in writing to the Director of Student Services. (Ed. Code 48911(e))

Administrative suspension procedure requires that:

1. An informal conference be held with the student. The principal or designee must inform the student of the reason for the disciplinary action, including the other means of correction that were attempted before suspension as required under Section 48900.5, and the evidence against the student. The student must be allowed the opportunity to present the student's version and evidence in the student's defense.
2. An attempt must be made to make telephone notice or personal notice of suspension with parent/guardian.
3. A parent/guardian must be given written notice of suspension.
4. A parent/guardian must respond to the school's request for a conference without delay, as per state law.
5. A parent/guardian may request a meeting for the suspension to be reviewed by the Superintendent or designee. (Ed. Code 48914)
6. A student may not be suspended for more than five (5) consecutive school days for an incident, except when the suspension is extended because the student has been recommended for expulsion and a determination has been made that the presence of the pupil would cause a danger to persons or property or a threat of disrupting the instructional process.
7. Except when a student's suspension is extended pending an expulsion decision under 48911(g), a student shall not be suspended for more than twenty (20) school days in one school year unless the student enrolls in or is transferred to another school for disciplinary action for purposes of adjustment. In this case, the student may be suspended for up to thirty (30) school days. (Ed. Code 48903)
8. The teacher may require a suspended student to complete assignments and tests missed during the suspension. (Ed. Code 48913)
9. Upon the request of a parent or guardian, a teacher shall provide to a pupil who has been suspended from school for two or more schooldays the homework that the pupil would otherwise have been assigned. (Ed. Code 48913.5)
10. A suspended student must remain under parent supervision and is not to be on any school campus (even when school is not in session) or attend school activities, on or off campus, for the duration of the suspension.

The parent or guardian of a student who has been suspended may be required to attend a portion of a school day in the child's classroom. (Ed. Code Section 48900.1)

DEFINITIONS OF DISCIPLINARY ACTIONS

ADMINISTRATIVE TRANSFER/PLACEMENT – The student is transferred to or placed in another School District or school as decided by Administration for purposes of adjustment. This is an alternative to an expulsion. (Ed. Code 48900, 48903)

ALTERNATIVE MEANS OF CORRECTION - A variety of interventions may be used, including but not limited to counseling, parent and student conferences, warnings, Friday School, restorative justice, community service, and transfer to another school. (Ed. Code 48900, 48900.5, 48900.6 and 48903)

DETENTION - Students may be detained on school grounds for disciplinary or other reasons for a maximum of one hour after the close of the school day. Detention will not be assigned during lunch or recess and will not be assigned for more than 1 hour after school closes except as authorized by applicable law. (5 CCR 352-353). Parent(s) or legal guardian must be notified of the detention.

EXPULSION - The student is informed that he/she is subject to expulsion from the School District for a calendar year for some offenses or for the remainder of the semester and the semester following. The student's parent(s) or legal guardian is notified by telephone, in person, and/or by letter that the student is being recommended for expulsion. Notification to the parent(s) or legal guardian will include information on the process. The expulsion does not become

effective until the Board of Trustees votes to expel the student. A record is maintained in the student file.

FRIDAY SCHOOL - Students may be assigned to school on Friday after school in lieu of more serious disciplinary actions. A failure to attend will result in more serious consequences.

INFORMAL TALK - A school official (teacher, administrator or counselor) will talk to the student and try to reach agreement regarding how the student should behave and obtain confirmation that the student understands and will comply with the rules.

LOSS OF PRIVILEGES - Student privileges may be removed due to inappropriate behavior in a school setting. These may include but are not limited to extracurricular activities, including sports team participation, and end of the year activities, including 8th grade graduation ceremonies.

PARENT CONFERENCE - Parent(s) or legal guardian are notified by telephone, email, personal contact, letter or certified letter. An in-person conference may be conducted between the student, the student's parent(s) or legal guardian, appropriate school personnel and any other individuals concerned. A student performance or behavior contract may be used. (**Ed. Code 48900.1(d) and 48911(d) and (f)**)

REMOVAL FROM CLASSES - The student is removed from one or more classes, but remains at school during these class periods or receives appropriate disciplinary action, such as (1) serves one or more detention/work details, such as community service, (2) assigned Friday school, or (3) has privileges suspended.

SARB - (School Attendance Review Board) A panel of school and community representatives who meet with a student and the student's parents to recommend solutions to poor attendance, tardiness, and/or habitual insubordination or disorderly conduct. (**Ed. Code 48263**)

STIPULATED EXPULSION AGREEMENT - Consent and stipulation to an expulsion, waiving the right to an expulsion hearing and including a settlement/rehabilitation agreement to assist student in complying with rules and to assist in obtaining readmission after completing the term of the expulsion.

STUDENT CONFERENCE - A formal conference is held between the student and one or more school officials. During this conference, the student must agree the student understands the rules and agree to correct the student's behavior or another consequence may need to be used to encourage understanding of and compliance with the rules.

SUSPENSION - The student is informed that he/she is subject to a suspension (five school days or less), unless extended under **Education Code 48911** pending an expulsion determination. An attempt is made to notify the student's parent(s) or legal guardian by telephone or in person that the student is suspended.

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Board Policy
Uniform Complaint Procedures
BP 1312.3
Community Relations

OAK GROVE SCHOOL DISTRICT

Uniform Complaint Procedures (UCP)

Policies and Procedures

Oak Grove School District
6578 Santa Teresa Blvd
San Jose, CA 95119
(408) 227.8300
www.ogsd.net

Adopted by our Governing Board or authorized designee (here and after “the board”) on March 12, 2020.

Uniform Complaint Procedures (UCP)

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by Oak Grove School District of federal or state laws or regulations governing educational programs, including non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how we process UCP complaints concerning particular programs or activities that are subject to the UCP.

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP.

A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP.

If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

The Responsibilities of Oak Grove School District

We shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations.

We shall investigate and seek to resolve, in accordance with our UCP process, any complaints alleging failure to

comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities implemented by the Oak Grove School District that are subject to the UCP.

The Oak Grove School District developed the Uniform Complaint Procedures (UCP) process with policies and procedures adopted by our board.

According to state and federal codes and regulations, the programs and activities subject to the UCP are:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety *
- Agricultural Career Technical Education
- Career Technical and Technical Education; Career Technical; Technical Training (State)
- Career Technical Education (Federal)
- Child Care and Development *
- Compensatory Education *
- Course Periods without Educational Content
- Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In A School District, and Pupils Of Military Families*
- Every Student Succeeds Act / No Child Left Behind (Titles I–VII) *
- Local Control and Accountability Plans (LCAP) *
- Migrant Education *
- Physical Education Instructional Minutes *
- Pupil Fees *
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans For Student Achievement *
- School Safety Plans *
- School Site Councils *
- State Preschool
- State Preschool Health And Safety Issues In LEAs Exempt From Licensing

The programs and activities subject to the UCP in which the Oak Grove School District implements are marked with an * symbol.

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:

Allegations of child abuse shall be referred to County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.

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.

Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Department of Fair Employment and Housing (DFEH).

Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

Pupil Fees

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:

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.

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.

A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

The Local Control Accountability Plan

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 California Education Code (EC) Section 52060(d).

The UCP Annual Notice

We ensure annual dissemination of a written notice of our complaint procedures to all students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

Our UCP Annual Notice shall also include information regarding the requirements of EC Section 49010 through 49013 relating to pupil fees and information regarding the requirements of EC Section 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

In order to identify appropriate subjects of state preschool health and safety issues, we also have a notice that is posted in each California state preschool program classroom in each school notifying parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to HSC section 1596.7925 and (2) where to get a form for a state preschool health and safety issues complaint.

Filing UCP Complaints When Filing Pupil Fees UCP Complaints

A pupil fees complaint may be filed with the principal of a school or our superintendent or their designee.

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.

A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred.

When Filing State Preschool Health and Safety Issues UCP Complaints

UCP complaints regarding state preschool health and safety issues pursuant to HSC section 1596.7925 shall include the following statements:

File with the preschool program administrator or their designee.

A state preschool health and safety issues complaint pursuant to HSC section 1596.7925 about problems beyond the authority of the preschool program administrator shall be forwarded in a timely manner, but not to exceed 10 working days to the appropriate local educational agency official for resolution.

A state preschool health and safety issues complaint pursuant to HSC section 1596.7925 may be filed anonymously. A complainant who identifies themselves is entitled to a response if he or she indicates that a response is requested. A complaint form shall include a space to mark to indicate whether a response is requested. If Section 48985 of the Education Code is otherwise applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed.

A complaint form for a state preschool health and safety issue pursuant to HSC section 1596.7925 shall specify the location for filing a complaint. A complainant may add as much text to explain the complaint as he or she wishes.

When Filing All UCP Complaints

We will provide an opportunity for complainants and/or representatives to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by the Oak Grove School District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The complaint will be investigated and a written report with a decision will be issued to the complainant by us within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

This report will contain the following elements:

- i. The findings of fact based on the evidence gathered.
- ii. Conclusion of law.

- iii. Disposition of the complaint.
- iv. The rationale for such a disposition.
- v. Corrective actions, if any are warranted.
- vi. Notice of the complainant's right to appeal our Decision to the CDE.
- vii. Procedures to be followed for initiating an appeal to CDE.

The preschool program administrator or the designee of the school district superintendent shall (1) make all reasonable efforts to investigate any problem within their authority. Investigations shall begin within 10 days of the receipt of the complaint and (2) remedy a valid complaint within a reasonable time period, but not to exceed 30 working days from the date the complaint was received and report to the complainant the resolution of the complaint within 45 working days of the initial filing. If the preschool program administrator makes this report, he or she shall also report the same information in the same timeframe to the designee of the school district superintendent.

UCP Complaint Investigation

The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is –

Name or title: Assistant Superintendent, Human Resources
Office: Oak Grove School District
Address: 6578 Santa Teresa Blvd San Jose, CA 95119
Phone: (408) 227.8300, x 100289
Electronic mail address: ichaidez@ogsd.net

The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is knowledgeable about the laws and programs assigned to investigate.

The Oak Grove School District will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC Section 200 and 220 and Government Code (GC) Section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) Section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity we conduct, which is funded directly by, or that receives or benefits from any state financial assistance.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

All complainants are protected from retaliation.

We advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

UCP Complaint Resolution

If Oak Grove School District finds merit in a complaint regarding Pupil Fees; Local Control and Accountability Plan (LCAP); and/or Physical Education Instructional Minutes (grades one through eight), the remedy shall go to all affected pupils and parents/guardians.

If we find merit in a complaint regarding Reasonable Accommodations to a Lactating Pupil; Course Periods without Educational Content (grades nine through twelve); and/or Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district, and pupils in military families, the public school or LEA shall provide a remedy to the affected pupil.

We ensure an attempt shall be made in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

We shall report summarized data on the nature and resolution of all state preschool health and safety issues complaints on a quarterly basis to the county superintendent of schools and our board.

The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of our board.

The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.

We are aware that all complaints and responses are public records.

UCP Complaint Appeal Process

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

A complainant may appeal our Decision of a UCP complaint to the State Superintendent of Public Instruction (SSPI) or their designee at the CDE (hereinafter known as SSPI) regarding all specified federal and state educational programs subject to the UCP.

To appeal our Decision of all UCP complaints except State Preschool Health and Safety Issues the complainant must file a written appeal within 15 days of receiving the Decision to the SSPI.

To appeal our Decision of State Preschool Health and Safety Issues only the complainant must file a written appeal within 30 days of receiving the Decision to the SSPI.

This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of our Decision are incorrect and/or the law is misapplied.

In addition the appeal shall be sent to CDE with:

1. A copy of the original locally filed complaint; and
2. A copy of our Decision of this original locally filed complaint.

A complainant not satisfied with the resolution of the preschool program administrator or the designee of the school district superintendent has the right to describe the complaint to our board at a regularly scheduled hearing.

The SSPI shall comply with the requirements of 5 CCR section 4633 and shall provide an Investigation Report to the State Board of Education describing the basis for the complaint, our response to the state preschool health and safety issues complaint and its remedy or proposed remedy.

Federal and State Laws Cited:

20 United States Code (U.S.C.) section 6301 et seq.

34 Code of Federal Regulations (CFR) sections 299.11

California Education Code (EC) sections 200, 220, 222, 234.1-234.5, 262.3, 8235.5, 8200-8493;

8500-8538, 32280-32289; 33315;, 35186, 46015, 47606-47606.5, 47607.3, 48645.5, 48645.7, 48853, 48853.5, 48985,

49010-49013, 49069.5, 51210, 51223, 51225.1, 51225.2, 51228.1-51228.3, 52060-52075, 52300-52462, 52500-

52616.4, 54440-54445, 64001, 65000.

California Government Code (GC) sections 11135, 17581.6(f).

California Penal Code (PC) section 422.55.

California Welfare and Institutions Code (WIC) sections 300

Policy Adopted: 3/12/2020 Oak Grove School District

A PLEDGE FOR STUDENT SUCCESS
PARTNERS IN LEARNING
Child-Parent/Guardians Agreement 2022-23

We know that learning can take place only when there is a combination of effort, interest, and motivation. We are all committed to (Child's Name) in grade and the students' success and progress in school, and we are going to do our best to promote their achievement.

This agreement, taken partially from District Student Behavior and Parent Information Handbook, is a promise to work together. We believe that this agreement can be fulfilled by our team effort. Together we can improve teaching and learning.

Rights and Responsibilities of Students

Rights...

- To remain enrolled in school until graduated or removed in accordance with legal requirements.
To be informed in class of school rules and regulations.

Responsibilities...

- To attend classes regularly and on time.
To obey school rules and regulations.
To respect the personal and property rights of school personnel and fellow students.
To be prepared for class with appropriate materials and work.
To do assigned homework.
To actively participate in learning and classroom activities.

Rights and Responsibilities of Staff

Rights...

- To expect students to behave in a manner which will not interfere with the learning of other students.
To have parental support related to academic and social progress of students.
To expect students to put forth effort and participate in class in order to receive a passing grade.

Responsibilities...

- To provide high-quality curriculum and instruction in a supportive and effective learning environment that enables students to meet the state standards.
To provide an atmosphere that fosters learning, provide opportunities for success and help to develop responsible, caring, independent students.
To provide an integrated, balanced curricular program using the Oak Grove School District Curriculum guides and address the assessed needs of all students.
To recognize and respect the various cultures within the school community.
To communicate regularly with parents.
To reach into the community at large.
To provide frequent reports to parents and family members on their children's progress.

Rights and Responsibilities of Parents/Guardians

Rights...

- To be informed of district policy and school rules and regulations applicable to their child.
To be informed of facts and school actions related to their child.
To inspect their child's records with the assistance of certificated staff member for proper interpretation.
To be informed of district policy and school rules applicable to their child in the language best understood by parents.

Responsibilities...

- To visit periodically and to participate in conferences with teachers or counselors on the academic and behavioral status of their child.
To provide supportive action by making sure that their child has enough sleep, adequate nutrition, and appropriate clothing before coming to school.
To maintain consistent and adequate control over their child.
To be familiar with district policies and school rules and regulations.
To reinforce and support the behavioral and academic standards of the school.

MOST IMPORTANT, WE PROMISE TO HELP EACH OTHER CARRY OUT THIS AGREEMENT.

Student: _____

Parent/Guardian: _____

Date: _____

School: _____

**Annual Parent/ Guardian Notice of Rights and
Responsibilities (Ed. Code 48980)**

State law requires that parents be notified of their rights and responsibilities in certain matters pertaining to their children's education.

1. **Excused Absences for Religion or Pregnant or Parenting Pupils:**

(a) **Religious Exercises and Instruction:** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. Such absences are limited to four school days per school month. (Ed. Code, § 46014)

(b) **Pregnant or Parenting Pupils:** Pregnant or parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their and their children's health. (Ed. Code, § 46015):

(1) A pregnant or parenting pupil is entitled to eight weeks of parental leave, which the pupil may take before the birth of the pupil's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the pupil who gives or expects to give birth and the infant, and to allow the pregnant or parenting pupil to care for and bond with the infant. It is the intent of the Legislature that the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, the person holding the right to make educational decisions for the pupil, notify the school of the pupil's intent to exercise this right.

(2) A pregnant or parenting pupil who does not wish to take all or part of the parental leave to which they are entitled pursuant to paragraph (1) shall not be required to do so.

(3) A pregnant or parenting pupil is entitled to receive more than eight weeks of parental leave pursuant to paragraph (1) if deemed medically necessary by the pupil's physician.

(4) When a pupil takes parental leave pursuant to paragraph (1), the supervisor of attendance shall ensure that absences from the pupil's regular school program are excused until the pupil is able to return to the regular school program or an alternative education program.

(5) During parental leave taken pursuant to paragraph (1), a local educational agency shall not require a pregnant or parenting pupil to complete academic work or other school requirements.

(6) A pregnant or parenting pupil may return to the school and the course of study in which he or she was enrolled before taking parental leave pursuant to paragraph (1).

(7) Upon return to school after taking parental leave pursuant to paragraph (1), a pregnant or parenting pupil is entitled to opportunities to make up work missed during the student's leave, including, but not limited to, makeup work plans and reenrollment in courses.

(8) Notwithstanding any other law, a pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil 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.

(9) A pupil who chooses not to return to the school in which he or she was enrolled before taking parental leave pursuant to paragraph (1) is entitled to alternative education options offered by the local educational agency.

(10) In accordance with subdivision (d) of Section 221.51, a pregnant or parenting pupil who participates in an alternative education program shall be given educational programs, activities, and

courses equal to those he or she would have been in if participating in the regular education program.

(11) A pupil shall not incur an academic penalty as a result of the student's use of the accommodations specified in this subdivision." (Ed. Code § 46015)

- A complaint of noncompliance with these pregnant and parenting pupil requirements may be filed with the School District under the Uniform Complaint Procedures.
 - The School District shall respond to a complaint within 60 days.
 - A complainant not satisfied with the School District decision may, within 15 days of receipt of the decision, appeal the decision to the department and shall receive a written decision regarding the appeal within 60 days of the department's receipt of the appeal.
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- If the School District finds merit in a complaint, or if the department finds merit in an appeal, the School District shall provide a remedy to the affected pupil. (Ed. Code § 46015(b)(1-4))

2. **Comprehensive Sexual Health Education and HIV/AIDS Prevention Education (California Healthy Youth Act):**

Parents may request in writing that their child not receive comprehensive sexual health education and/or HIV/AIDS prevention education and related assessments. Parents may inspect the written and audio-visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the School District provide them with a copy of Chapter 5.6, which includes **Education Code sections 51930-51939**. The law precludes the School District from requiring active parental consent (opt-in), so the parents must opt out in writing if they want their child excused from this instruction or from tests, questionnaires, or surveys.

Comprehensive sexual health education includes age appropriate and medically accurate information on human development and sexuality, pregnancy, contraception, and sexually transmitted infections such as HIV, including information on abstinence and FDA-approved methods to prevent pregnancy and prevent or reduce risk of HIV and other infections, information on treatment of HIV and other infections, and local resources for care. The instruction and materials must include all legally available pregnancy outcomes including parenting, adoption, abortion, and the law on surrendering physical custody of a minor child 72 hours of age or younger. The instruction and materials cannot reflect or promote bias against any person on the basis of the protected categories of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other protected characteristic. The law requires that instruction and materials shall affirmatively recognize that people have different sexual orientations, shall include same-sex relationships when discussing relationships and couples, shall teach pupils about gender, gender expression and gender identity, and shall explore the harm of negative gender stereotypes. The instruction and materials must encourage students to communicate with parents and other trusted adults and must teach the value of committed relationships such as marriage. The instruction and materials must provide information on healthy relationships free from violence, coercion, and intimidation and on healthy decisions including refusal skills. Instruction shall include information about sexual harassment, sexual assault, sexual abuse, human trafficking, adolescent relationship abuse, and intimate partner violence. The human trafficking information includes information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, how to safely seek assistance, and how social media and mobile device applications are used for human trafficking.

The 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 digital materials through cellular telephones, social networking Internet Web sites, computer networks, or other digital media.

Every child's parent will be notified prior to the commencement of any comprehensive sexual health education

and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified. Parents have a right to request that the School District provide them with a copy of **Education Code sections 51933, 51934 and 51938**. If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification (such as email), no fewer than 14 days before the instruction is delivered.

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 or practices relating to sex may be administered to any pupil in grades 7 to 12, inclusive, if the parent or guardian is notified in writing that this test, questionnaire, or survey is to be administered and the pupil's parent or guardian is given the opportunity to review the test, questionnaire, or survey and to request in writing that their child not participate.

3. **Excuse from Instruction in Health:** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' religious training or beliefs (including personal moral convictions). (**Ed. Code, § 51240**)

4. **Administration of Medication:** Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if

the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician. Forms for administering medication may be obtained from the school secretary or health clerk. (**Ed. Code, §§ 49423, 49423.1, 49423.5, 49480**)

5. **Students on Medication:** Parents are to notify the principal if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the principal or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (**Ed. Code, § 49423**)

6. **Immunizations:** The School District shall exclude from school any pupil who has not been immunized properly. Pursuant to **Education Code 48216**, the school district may refer a parent or guardian to the child's usual medical provider or county health department to obtain immunizations or notify them that the immunizations will be administered at school, if the parent/guardian consents in writing. Your child must be immunized against certain diseases before being admitted to school, unless exempted for medical or religious reasons.

Religious and Personal Beliefs Exemptions: January 1, 2016 was the deadline for parents to exempt their children from required immunizations based on their religious or personal beliefs. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, are exempt from the immunization requirement until they complete the "grade span" they were in as of January 1, 2016. Grade spans are defined as: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. Students who entered the School District for the first time, or who advanced to 7th grade, after July 1, 2016 are no longer exempt from immunizations based on religious or personal beliefs.

Medical Exemptions: Students who have a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, the School District will only accept medical exemptions that are submitted on the California Department of Public Health's standardized, statewide medical exemption certification form. (**Ed. Code, §§ 48216, 48853.5f (8)(B), 49403, Health & Safety Code, §§ 120325, 120335, 120341, 120370(a)(2) and 120372 (a).**)

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7. **Physical Exams and Testing:** The School District is required to conduct certain physical examinations and vision and hearing testing and may screen for scoliosis of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code, §§ 49451, 49452, 49452.5 and 49455, Health & Safety Code, § 124085)
 8. **Confidential Medical Services:** The School District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian. (Ed. Code, § 46010.1)
 9. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without their consent or, if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code, § 49472)
 10. **Medical and Hospital Services Not Provided:** The School District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471)
 11. **Services for Students with Exceptional Needs or a Disability:** State and federal law requires that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability that interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. §104.32.) The School District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone:

Director of Special Education
6578 Santa Teresa Blvd.
San Jose, CA 95119
408-227-8300

12. **No Academic Penalty for Excused Absence:** No pupil may have their grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205, 48980(i)) § 48205. Excused absences; average daily attendance computation:
 - (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
 - (1) Due to the pupil's illness including an absence for the benefit of the pupil's mental or behavioral health. The state board shall update its illness verification regulations, as necessary, to account for including a pupil's absence for the benefit of the pupil's mental or behavioral health within the scope of this paragraph.
 - (2) Due to quarantine under the direction of a county or city health officer.
 - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered
 - (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - (5) For the purpose of jury duty in the manner provided for by law.

-
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
 - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
 - (11) For the purpose of participating in a cultural ceremony or event.
 - (12) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
 - (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
 - (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
 - (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
 - (e) (1) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
(2) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people. (**Ed. Code, § 48205**)

13. **Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the School District is a commitment made by the School District to all students. (**Title IX of the Education Amendments of 1972.**) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the School District may be referred to the School District official listed below at the following address and telephone:

Assistant Superintendent, Human Resources
6578 Santa Teresa Blvd.
San Jose, CA 95119
408-227-8300

14. **Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Complaints regarding special education programs are no longer covered by the School District's Uniform Complaint Procedures. For more information, please refer to the Notice of Procedural Safeguards under the IDEA. Complaints alleging that a student was discriminated against due to his or her disability still fall under the School District's Uniform Complaint Procedures (see

attached). To file a complaint, write a description of the manner in which the parent believes special education programs for handicapped do not comply with state or federal law or regulations and file with the School District official listed below at the following address and telephone:

Director of Special Education
6578 Santa Teresa Blvd.
San Jose, CA 95119
408-227-8300

15. **Release of Student Information:** The School District does not release information or records concerning a child to noneducational organizations or individuals without a FERPA-compliant written and signed parent consent except by court order, receipt of a lawfully issued and served subpoena, or when otherwise allowed by law. Directory information shall not be released regarding a pupil identified as a homeless child or youth, unless a parent, or pupil accorded parental rights, as identified in the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g), has provided written consent that directory information may be released.

The following categories of directory information may be made available to various persons, agencies or institutions, including law enforcement, unless the parent or guardian notifies the School District in writing not to release such information or unless the information is for a homeless child or youth:

Name, address, telephone, date of birth, e-mail address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (**Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7**) In accordance with state and federal law, the School District may also make available photographs, yearbooks, videos, and class rosters.

16. **Inspection of Student Records:** State and federal law requires that the School District notify parents of the following rights, which pertain to student records maintained by the School District. (**Ed. Code, §§ 49063, 49069, 34 C.F.R. § 99.7**)
- a. A parent or guardian has the right to inspect and review student records relating directly to their child during school hours or obtain a copy of such records within five (5) business days of their request.
 - b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at their child's school. The principal of each school is ultimately responsible for maintenance of student records. The parent cannot write on the student records.
 - c. A parent with legal custody has a right to challenge information contained in their child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

The parent may file a written request with the Superintendent of the School District to challenge the content of pupil records and correct, remove or expunge any information recorded in the written records concerning the child that is alleged to be:

- (1) Inaccurate.
- (2) An unsubstantiated personal conclusion or inference.
- (3) A conclusion or inference outside of the observer's area of competence.
- (4) Not based on the personal observation of a named person with the time and place of the observation.
- (5) Misleading.
- (6) In violation of the privacy or other rights of the pupil. (**Ed. Code § 49070**)

Within thirty (30) days of receipt of a written request to correct or remove information, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the School District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written record of the student. (**Ed. Code § 49070**) the written records of the student. (**Ed. Code, § 49070**)

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

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with **Education Code sections 49070-49071** to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- a. A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (**Ed. Code, § 49064**)
 - b. School officials and employees having a legitimate educational interest, as well as persons identified in **Education Code sections 49076 and 49076.5** and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the School District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the School District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or other individual or entity affiliated with the school whose access to student records is legally authorized. A "legitimate educational interest" is one held by an individual whose duties and responsibilities create a reasonable need for access. (**Ed. Code, §§ 49063(d), 49076, 49076.5, 20 U.S.C. § 1232g**)
 - c. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.
 - d. Parents and guardians may be charged 20 cents per page for the reproduction of student records.
 - e. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (**20 U.S.C. § 1232g(g)**)
 - f. Parents may obtain a copy of the School District's complete student records policy by contacting the Superintendent.
17. **Family Educational Rights and Privacy Act:** In addition, parents have certain rights regarding student information and records, which are guaranteed under federal law. A handout notifying parents of these rights is included near the end of Attachment C. (**20 U.S.C. § 1232g**)
 18. **Student Discipline:** District and School rules pertaining to student discipline are available in the school office for parents or guardians of district students. (**Ed. Code, § 35291**) Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic communication device may be disciplined for engaging in unlawful harassment or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours.
 19. **Dissection of Animals:** If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection

must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. (**Ed. Code, §§ 32255-32255.6**)

20. **Temporary Disability and Home/Hospital Instruction (HHI):** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction (HHI) at home or in a hospital or residential health facility from the school district in which the hospital or residential health facility is located. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. HHI will be provided for the duration of the student's need for HHI. A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school that he or she attended immediately before receiving individual instruction, if the pupil returns during the school year in which the individual instruction was initiated. A pupil who attends a school and who is subsequently enrolled in HHI for a partial week, shall be entitled to attend school in their school district of residence, or receive individual instruction provided by the school district of residence in the pupil's home, on days on which he or she is not receiving individual instruction in a hospital or other residential health facility, if he or she is well enough to do so. Individual instruction in a pupil's home shall begin no later than five working days after the School District has determined that the pupil shall receive this instruction. The School District may continue to enroll a pupil with a temporary disability who is receiving HHI to facilitate the timely reentry of the pupil in their prior school after the hospitalization has ended, or to provide a partial week of instruction to a pupil who is receiving HHI for fewer than five days of instruction per week. When a pupil is receiving HHI, the supervisor of attendance shall ensure that absences from the pupil's regular school program are excused until the pupil is able to return to the regular school program. (**Ed. Code, §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48240, 48980(b)**)
21. **Student Residency:** A student may be enrolled in the School District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the School District (**Ed. Code, §48200**); (2) the School District has approved inter-district attendance (**Ed. Code, § 46600**); (3) the student is placed in a regularly established children's institution, licensed foster home, or family home (**Ed. Code § 48204**); (4) the student is a foster child who remains in their school of origin pursuant to **Education Code Section 48853.5(f) and (g)**; (5) the student is emancipated and lives within the School District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit and who lives within the boundaries; (7) the student resides in a state hospital within the School District; (8) the student's active duty military parent is being transferred to a military installation within the state and the parent provides proof of residency within the School District pursuant to Education Code Section 48204.3; or (9) the student's parent/ guardian resides outside of the School District but is employed and lives with the pupil at the place of their employment within district boundaries for a minimum of three days during the school week. (**Ed. Code, § 48204**)
The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the School District's boundaries for a minimum of 10 hours during the school week. (**Ed. Code, §48204(b)**).
22. **Attendance Options:** All districts must inform parents at the beginning of the school year how to enroll in a school within the School District that is different than the one assigned. Students who attend schools other than those assigned by the School District are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the School District where the parent lives (Intra-district transfer), and three separate processes for selecting schools in other districts (inter-district transfer). (**Ed. Code, § 48980(h)**) There is also a process under the Open Enrollment Act for students enrolled in "low-achieving schools," as identified annually by the State Superintendent of Public Instruction. (**Ed. Code, § 48350 et seq.**) Parents interested in inter-district or Intra-district transfers should contact the **Assistant Superintendent**,

Educational Services Division. The general requirements and limitations of each process are described as follows:

- a. **Choosing a School Within the School District in Which Parent Lives:** **Education Code section 35160.5(b)** requires the School District board to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the School 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. **(Ed. Code 35160.5(b)(2)(C))**
 - 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. **(Ed. Code 35160.5(b)(2)(B))**
 - Each district must decide the number of openings at each school that 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 School District out of compliance with a court-ordered or voluntary desegregation program. **(Ed. Code 35160.5 Ed. Code 35160.5(b)(2)(A))**
 - A district is not required to provide transportation assistance to a student that transfers to another school in the School District under these provisions unless required and funded under federal law.

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.

- b. **Choosing a School Outside District in Which Parent Lives:** Parents have three different options for choosing a school outside the School District in which they live. The three options are:
1. **Districts of Choice** **(Ed. Code, §§ 48300–48317):** 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 School District under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in this category each year and shall accept all students who apply until the School District is at maximum capacity with the students selected through an unbiased process which prohibits an inquiry into or evaluation or consideration of whether a pupil should be enrolled based upon their academic or athletic performance, physical condition, proficiency in English, any of the individual characteristics set forth in Section 200, and, except for purposes of determining priority for pupils eligible for free or reduced-price meals pursuant to Section 48306, family income.

If the number of transfer applications exceeds the number of students the school board is willing to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. Compliance with these prior requirements is subject to an annual audit under 41020. A school district of choice must post application information on its web site. If the School 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:

- The School District from which a student would transfer may deny a transfer if it will negatively affect the racial and ethnic balance of the School District or a court-ordered or voluntary desegregation plan. The School District a student would be leaving may also limit the total number of students transferring out of the School District each year to a specified percentage of its total enrollment, depending on the size of the School District. **(Ed. Code 48307)**. A district of residence cannot prohibit the transfer of a child of an active military parent. **(Ed. Code 48307(f))**.

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- 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. **(Ed. Code 48304).**
 - Siblings of students already attending school in the “district of choice” must be given first transfer priority, students eligible for free or reduced price meals receive second priority, and children of military personnel must be given third priority. **(Ed. Code 48306).**
 - A parent may request transportation assistance within the boundaries of the “district of choice.” The School District is required to provide transportation only to the extent it already does so. **(Ed. Code 48311).**
 - The School District of choice may revoke the pupil's transfer if recommended for expulsion. **(Ed. Code 48309).**
2. **Other Inter-District Transfers (Ed. Code, §§ 46600–46610):** The law allows two or more districts to enter into an agreement for the transfer of one or more students (TK through grade 12) for a period of one year. New agreements may be entered into for additional periods of up to one year. The agreement must specify the terms and conditions under which transfers are permitted and denied and may state the terms and conditions under which transfers are revoked.
- Once a pupil is enrolled in a school pursuant to an inter-district transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless the School District imposes reapplication requirements or has revocation terms and conditions; however, a district must not rescind existing transfer permits for pupils after June 30 following the completion of grade 10 or for pupils in grade 11 or 12 in the subsequent school year.
 - Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the School District of residence must be given priority for inter-district attendance under any existing inter-district attendance agreement or be given additional consideration for the creation of an inter-district attendance agreement. **(Ed. Code, §§ 46600(b), 48900(r))**
 - Notwithstanding any other law, and regardless of whether an agreement exists or a permit is issued pursuant to this section, a school district of residence shall not prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the application for transfer. (Ed. Code § 46600(d)(1))
 - Each district is required to post on its Web site the procedures and timelines, including a link to the Board Policy regarding a request for an inter-district transfer permit in a manner that is accessible to the public without a password. The information posted on the Internet Web site shall include, but need not be limited to, all of the following:
 - (1) The date upon which the school district will begin accepting and processing inter-district transfer requests for the subsequent school year.
 - (2) The reasons for which the school district may approve or deny a request, and any information or documents that must be submitted as supporting evidence.
 - (3) If applicable, the process and timelines by which a denial of a request may be appealed within the school district before the school district renders a final decision.
 - (4) That failure of the parent to meet any timelines established by the school district shall be deemed an abandonment of the request.
 - (5) Applicable timelines for processing a request, including statements that the school district shall do both of the following:
 - (A) Notify a parent submitting a current year request, as defined in Section 46600.1, of its final decision within 30 calendar days from the date the request was received.
 - (B) Notify a parent submitting a future year request, as defined in Section 46600.1, of its final decision as soon as possible, but no later than 14

calendar days after the commencement of instruction in the school year for which inter-district transfer is sought.

(6) The conditions under which an existing inter-district transfer permit may be revoked or rescinded.

- A school district that denies a request for an inter-district transfer shall advise the parent, in writing, of the right to appeal to the county board of education within 30 calendar days from the date of the final denial.
- Any written notice to parents regarding a school district's decision on a request for inter-district transfer shall conform to the translation requirements of Section 48985 and may be provided using any of the following methods:
 - (1) Regular mail.
 - (2) Electronic format if the parent provides an email address.
 - (3) By any other method normally used to communicate with parents in writing.”
(Ed. Code § 46600.2)

The School District will revoke the pupil's transfer if suspended or recommended for expulsion. A pupil who is under consideration for expulsion or who has been expelled pursuant to Sections 48915 and 48918, may not appeal inter-district attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion.

3. “Allen Bill” Transfers (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which the student’s parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of **Education Code section 48204(b)** include:

- Either the School District in which the parent (or legal guardian) lives or the School District in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it is determined that there would be a negative impact on the School District’s desegregation plan.
- The School District in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the School District would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the School District approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the School District that declines to admit a student is encouraged to provide in writing to the parent the specific reasons for denying the transfer.

- c. Applying to Attend a School under the Open Enrollment Act: The Open Enrollment Act allows the parent of a pupil enrolled in a “low-achieving school” to submit an application for the pupil to transfer to another public school served by the school district of residence or another school district. (**Ed. Code, § 48350 et seq.**) The parent must submit an application requesting a transfer to the school district in which the parent does not reside, but in which the parent intends to enroll the pupil. With some exceptions, the application must be submitted prior to January 1 of the school year before the school year for which the pupil is requesting a transfer. Both of the school districts from which and to which the parent has applied to transfer may prohibit or limit pupil transfers in accordance with the Open Enrollment Act. Additionally, the school district in which the parent does not reside, but in which the parent intends to enroll the pupil may adopt specific, written standards for acceptance and rejection of applications pursuant to the Open Enrollment Act. (**Ed. Code, § 48356**)

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23. **Victims of Bullying – Transfer Rights:** School districts must approve the request of a bullying victim, as defined, to transfer to another school within the School District. If the requested school is at capacity, the school district must accept a request for an alternate site. If the school district of residence has only one school available, the school district of residence must honor the student’s interdistrict transfer request if the school district of proposed enrollment approves the transfer. **(Ed. Code, § 46600)**
24. **Students in Active-Duty Military Families / Residency Retention and Matriculation:** A student living in the household of an active duty military service member must be allowed to continue attending the student’s school of origin for the remainder of the school year if the family moves.
A student from an active-duty military family who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or if the student is unable to produce clothing or records normally required for enrollment. If the parent/guardian’s military service ends during the school year, then the student is allowed to stay in his/her school of origin for the remainder of the school year if s/he is in grades 1-8. **(Ed. Code, § 48204.6)**
25. **Residency Retention for Migratory Children:** Currently migratory children, who are enrolled in a school district due to a parent’s or immediate family member’s temporary or seasonal employment in an agricultural or fishing activity, as defined by Education Code section 54441, must be allowed to continue in their schools of origin, regardless of any change of residence during that school year, for the duration of their status as migratory children. When a student’s status as a migratory child changes during the school year, the School District must allow K-8th graders to continue in their schools of origin for the remainder of that school year.
Migratory children and their parents/guardians must be informed of the impact that remaining in their schools of origin will have on their eligibility to receive migrant education services. **(Ed. Code, § 48204.7)**
26. **Residency Retention for Students Whose Parents are Detained or Deported:** Students retain residency in a school district, regardless of the students’ current residency, when both of the following requirements are met: a) the student’s parent or guardian has departed California against his or her will, and the student can provide official documentation evidencing the departure; and b) the student moved outside of California as a result of his or her parent or guardian leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state.
Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind may be required for admission or attendance in these circumstances.
This law applies to parents who are: (1) in the custody of a government agency and are transferred to another state; (2) subject to a lawful removal order and who were removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the school district. **(Ed. Code, §§ 48204.4, 48050 and 48052)**
27. **Sexual Harassment Policy:** Each student will receive a written copy of the School District policy on sexual harassment. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the School District’s policy on sexual harassment is attached. **(Ed. Code, §§ 231.5, 48980(f)) (Attachment I)**
28. **Notice of Alternative Schools:** California state law authorizes all school districts to provide for alternative schools. **Section 58500 of the Education Code** defines alternative school as a school or separate class group within a school which is operated in a manner designed to:
- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.

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- b. Recognize that the best learning takes place when the student learns because of the student's desire to learn.
 - c. Maintain a learning situation maximizing student self-motivation and encouraging the student in their own time to follow their own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by the student's teachers of choices of learning projects.
 - d. Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.
 - e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for parent information. This law particularly authorizes interested persons to request the governing board of the School District to establish alternative school programs in each district. (**Ed. Code, § 58501**)

- 29. **Nutrition Program:** The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. (**Ed. Code, § 49510 et seq.**)
- 30. **Nutrition Program Complaints:** Complaints related to Child Nutrition Programs established pursuant to the National School Lunch Program, Summer Food Service Program, Child and Adult Care Food Program, Special Milk Program, School Breakfast Program, and Food Distribution Program are no longer processed through the School District's Uniform Complaint Procedures. Instead, complaints must be processed through the existing procedures outlined in federal regulations and new, related state regulations. A complaint must be submitted within one year of the date of the alleged violation, and may be filed by phone, e-mail, or letter. Please see California Code of Regulations, title 5, sections 15580 – 15584 for more information. (**Cal. Code Regs., tit. 5, §§15580 - 15584**)
- 31. **U.S. Department of Education Programs:** The following applies only to programs directly funded by the U.S. Department of Education:
 All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children.
 No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:
 - a. political affiliations or beliefs of the student or the student's parent;
 - b. mental or psychological problems of the student or his family;
 - c. sex behavior or attitudes;
 - d. illegal, anti-social, self-incriminating or demeaning behavior;
 - e. critical appraisals of other individuals with whom respondents have close family relationships;
 - f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - g. religious practices, affiliations, or beliefs of the student or student's parent; or
 - h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an un-emancipated minor, without the prior written consent of the parent. (**20 U.S.C. § 1232h**) (See Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA) (20 USC 1232h) near end of Attachment C).

32. **Uniform Complaint Procedures: Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:**

State and federal law prohibit discrimination in education programs and activities. The School District is primarily responsible for compliance with federal and state laws and regulations. (**Cal. Code Regs., tit. 5, § 4620.**) Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (**Ed. Code, § 32261.**) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), pregnancy/childbirth (includes false pregnancy, termination of pregnancy, or recovery), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (**Ed. Code, §§ 210-214, 220-235, Cal. Code Regs., tit. 5, § 4900 et seq., 20 U.S.C. § 1681 et seq., 29 U.S.C. § 794, 42 U.S.C. § 2000d et seq., 42 U.S.C. § 12101 et seq., 34 C.F.R. § 106.9**) The School District prohibits discrimination, harassment, intimidation, bullying, and retaliation in all acts related to school activity or attendance. In addition to being the subject of a complaint, a pupil engaging in an act of bullying, sexual harassment, hate violence, or creating a hostile educational environment may be suspended from school or recommended for expulsion. (**Ed. Code, 48900, 48900.2-48900.4**)

The School District has a written complaint procedure, which may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (**Cal. Code Regs., tit. 5, §§ 4600, 4670, Ed. Code, § 234 et seq., 48900(r)**).

- a. Complaints alleging unlawful discrimination, harassment, intimidation or bullying may be filed by: (1) a person who alleges that he/she was the direct recipient of the alleged harm; or (2) if the complainant is a minor student, the student's parent, guardian, or other authorized representative can file a complaint on the student's behalf; or (3) by a third party on behalf of a specific class of individuals. (**Cal. Code Regs., tit. 5, § 4630(c)**)
- b. Copies of the School District's complaint procedures are available free of charge. (**Cal. Code Regs., tit. 5, § 4622**)
- c. Complaints must usually be filed with the Assistant Superintendent, Human Resources of the School District or the individual specified earlier in this attachment for a specific type of complaint. Contact the School District Superintendent's secretary if you have questions.
- d. Discrimination harassment, intimidation or bullying complaints must be filed within six (6) months of the date the alleged violation occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged violation. Within that six (6) month period, complainant may file a written request with the School District Superintendent for an extension of up to ninety (90) days. Extensions will not be automatically granted, but may be granted for good cause. Any extension must be in writing. (**Cal. Code Regs., tit. 5, § 4630(b)**)
- e. Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying: Must be filed within one (1) year of the date complainant knew or should have known of the alleged conduct. The School District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

Written complaints may be made regarding:

- (1) Afterschool Education and Safety
- (2) Local Control Funding Formula and Local Control Accountability Plans
- (3) NCLB Title I-III
- (4) School Facilities
- (5) Adult Basic Education
- (6) Consolidated Categorical Aid Programs
- (7) Migrant Education

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- (8) Career Technical Vocational Education
 - (9) Child Care and Development
 - (10) "Williams Complaints" (instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancy or misassignment)
 - (11) Pupil Fees

(Cal. Code Regs., tit. 5, §§ 4610(b) and (d), 4630, 4680, Ed. Code, §§ 35186, 49013)

Complaints must usually be filed with the administrator/superintendent of the School District. However, complaint may be filed directly with the State Superintendent of Public Instruction in the following cases:

1. Complaints alleging that the School District failed to comply with the complaint procedures described herein.
2. Complaints regarding Child Development programs not administered by the School District.
3. Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing a complaint at District level.
4. Complaints alleging that the School District failed or refused to implement a final decision regarding a complaint originally filed with the School District.
5. Complaints alleging that the School District took no action within sixty (60) days regarding a complaint originally filed with the School District.
6. Complaints alleging Complainant would suffer immediate and irreparable harm because a district-wide policy conflicts with state or federal law and filing a complaint with the School District would be futile.
7. The School District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the School District.

(Cal. Code Regs., tit. 5, §§ 4630, 4650, 4663)

Pupil Fees Complaints: A complaint of noncompliance with **Education Code section 49010 et seq.** may be filed with the school principal or Assistant Superintendent, Educational Services Division under the Uniform Complaint Procedures. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

1. A complainant not satisfied with the decision of the school may appeal to the California Department of Education and will receive a written appeal decision within 60 days of the department's receipt of the appeal.
2. If the school finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school must provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
3. The school or District will provide an itemized invoice for any amount owed by the parent or guardian on behalf of a pupil or former pupil before pursuing payment of the debt and shall provide a receipt to the parent or guardian of a pupil or former pupil for each payment made to the school or school district for any amount owed by the parent or guardian on behalf of the pupil or former pupil. (**Ed. Code § 49014.**)
4. The school or District will not, because of a debt owed to the school or district, take negative action against a pupil or former pupil, unless the debt is owed as a result of vandalism or to cover the replacement cost of school or district books, supplies, or property loaned to a pupil that the pupil fails to return or that are willfully cut, defaced, or otherwise injured, unless the pupil is a current or former homeless child or youth or a current or former foster youth. (**Ed. Code § 49014.**)

Responsible Official:

The School District official responsible for processing complaints is listed below at the following address:

**Assistant Superintendent
Educational Services Division
6578 Santa Teresa Blvd.
San Jose, CA 95119**

Local Control and Accountability Plans Complaints:

A complaint that the school district has not complied with the Local Control and Accountability Plan requirements may be filed with the school district. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements. A complainant not satisfied with the decision of a school district may appeal the decision to the State Superintendent and shall receive a written appeal decision within 60 days of the Superintendent's receipt of the appeal. If the school district finds merit in a complaint, or the State Superintendent finds merit in an appeal, the school district shall provide a remedy to all affected pupils, parents, and guardians. (**Ed. Code, 52075**)

Appeals:

If a complaint is denied, in full or in part, by the School District, the complainant may appeal to the California Department of Education. (**Ed. Code, § 262.3(a), Cal. Code Regs., tit. 5, § 4632**)

- (1) Appeals must be filed within thirty (30) days of receiving the School District decision.
- (2) Appeals must be in writing.
- (3) Appeals must specify the reason(s) for appealing the School District decision.
- (4) Appeals must include a copy of the original complaint and a copy of the School District decision.

The California Department of Education must review the appeal and issue a written decision within 60 calendar days, but this deadline may be extended by written agreement with the complainant/appellant. (**Cal. Code Regs., tit. 5, § 4633(h)**).

Reconsideration of the California Department of Education's Appeal Decision:

Within 30 calendar days of the date of the California Department of Education's written appeal decision, either party may request reconsideration by the State Superintendent of Public Instruction. (**Cal. Code Regs., tit. 5, § 4635(a) and 4665(a)**)

1. The State Superintendent of Public Instruction must act on the reconsideration request within 60 calendar days. (**Cal. Code Regs., tit. 5, § 4635(c)**)
2. The Department of Education decision will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the School District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (**Ed. Code, § 262.3(b), Cal. Code Regs., tit. 5, § 4622**)

33. **Williams Complaints:** Complaints, including anonymous complaints, may be made and addressed on a shortened timeline for the following areas: (**Ed. Code, § 35186**)
- (a) Insufficient textbooks and instructional materials;
 - (b) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils or staff; or
 - (c) Teacher vacancy or misassignment.

A complainant not satisfied with the resolution of a Williams Complaint has further rights under Education Code Section 35186. Williams Complaints are now processed exclusively via the procedures set forth in Cal. Code Regs., tit. 5, 4680-4687.

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34. **State Preschool Health and Safety Issues Complaints:** The School District operates two State preschool programs: (1) Baldwin Preschool located at 280 Martinvale Lane in San Jose; and (2) Taylor Preschool located at 410 Sautner Drive in San Jose. Complaints regarding state preschool health and safety issues are processed under the School District's Regulation. Complaints must be filed with the preschool program administrator, or his/her designee, and may be filed anonymously. (**Ed. Code § 8235.5 and Cal. Code Regs., tit. 5, §§ 4690 – 4694.**)
35. **Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the School District's pupil-free staff development day and minimum day schedules is in the handbook on page ii. A pupil's parent/guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (**Ed. Code, §48980(c)**)
36. **Review of Curriculum:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (**Ed. Code, §§ 49063, 49091.14**)
37. **Child Find System; Policies and Procedures:** Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to **Education Code section 56300 et seq.** (**Ed. Code, § 56301; 34 C.F.R. § 104.32(b)**)
38. **School Accountability Report:** Parents/guardians may request a hard copy of the School Accountability Report Card, which is issued annually for each school of the School District. (**Ed. Code, §35256**)
39. **Asbestos Management Plan:** An updated management plan for asbestos-containing material in school buildings is available at the School District Office. (**40 C.F.R. § 763.93**)
40. **Availability of State Funds to Cover Costs of Advanced Placement Examination Fees:** Section 48980 requires this notice of availability of funds to assist economically disadvantaged pupils pay for advanced placement examination fee pursuant to 52242. (**Ed. Code, §§ 48980(j) and 52242**)
41. **Every Student Succeeds Act of 2015:** Parents have the following rights:
- **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction, whether the teacher is teaching under an emergency permit or other provisional status through which State qualification or licensing criteria have been waived, whether a teacher is teaching in the field of discipline for which the teacher is certified or licensed, and whether any instructional aides or paraprofessionals provide services to the parents' child and , if so the aide's or paraprofessional's qualifications. (**20 U.S.C. § 6312(e)(1)(A)**)
 - **Information Regarding Teachers Not Meeting Certification Requirements:** The School District shall provide to parents timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned (**20 U.S.C 6312(e)(1)(B)(ii)**)
 - **Information Regarding Individual Student Reports on Statewide Assessments:** The School District shall provide to parents information on the level of achievement and academic growth of their student, if applicable and available, on every State academic assessment required under applicable federal law (**20 U.S.C. § 6312(e)(1)(B)(i)**)
 - **Information Regarding Mandated Assessments and Opt-Outs:** The parent may request, and the School District will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any mandated assessment, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable. (**20 U.S.C. 6312(e)(2)(A)**) The School District shall make widely available through public means (including by posting in a clear and easily accessible manner on the School District 's website and, where practicable, on the website of each District school) for each grade, information on each required assessment, and where such information is available and feasible to report, assessments required districtwide, including:
 - (i) the subject matter assessed;

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- (ii) the purpose for which the assessment is designed and used;
 - (iii) the source of the requirement for assessment; and
 - (iv) where such information is available;
 - (v) the amount of time students will spend taking the assessment, and the schedule for the assessment; and
 - (vi) The time and format for disseminating results. (20 U.S.C. 6312(e)(2)(B))

- **English Learner Students:** The Act requires notice be given to parents of English learner students identified for a language instruction educational programs, including: the reasons for the identification of the student as an English learner and the need for placement in a language instruction educational program; the student's level of English proficiency, how such level was assessed, and the status of the student's academic achievement; the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and use of English and a native language in instruction; how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child; how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation; the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable; and information pertaining to parental rights that includes written guidance:
 - i. detailing the right that parents have to have their child immediately removed from such program upon their request;
 - ii. detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available: and
 - iii. assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity. (20 U.S.C 6312(e)(3)(A))

For students who have not been identified as English learners prior to the beginning of the school year, but are identified as English learners during such school year, the School District shall notify the children's parents of the above items during the first 2 weeks of the child being placed in a language instruction educational program. (20 U.S.C. 6312(e)(3)(B))

The School District shall implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can:

- a. be involved in the education of their children, and
- b. be active participants in assisting their children to:
 - (aa) attain English proficiency
 - (bb) achieve at high levels with a well-rounded education; and
 - (cc) meet the challenging State academic standards expected of all students.

The School District shall hold and send notice of opportunities for regular meetings for the purpose of formulating and responding to recommendations from parents of English learner students. (20 U.S.C. 6312(e)(3)(C))

- **Language Acquisition Program:**

The School District offers the following language acquisition program(s) for English learners:

 - 1. Structured English Immersion (SEI): In Structured English Immersion, the curriculum and instruction are designed for pupils who are learning English.
 - 2. Dual Immersion (DI): Dual Immersion provides language learning and academic instruction for native speakers of Spanish as well as native speakers of English.
 - 3. English Language Development (ELD): English Language Development (ELD) is instruction designed to help students acquire academic English in listening, speaking, reading and writing.
- Any language acquisition program provided by the School District shall:
 - i. Be designed using evidence-based research and include both Designated and Integrated English Language Development (ELD);

ii. Be allocated sufficient resources by the School District to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and

iii. Within a reasonable period of time, lead to:

a. Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and

b. Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in that other language. (**Cal. Code Regs., tit. 5, § 11309(c)**)

- **Parent Choice and Process to Request the Establishment of a Language Acquisition Program:** Parents or legal guardians may choose a language acquisition program that best suits their child. When the parents or guardians of 30 or more students in a school, or 20 or more students in any grade level at a school, request a language acquisition program, the school must offer the language acquisition program to the extent possible once various requirements are met, such as the program having been established with parental, school employee and community input. (**Education Code § 310**)

When the parents or guardians of 30 or more students in a school, or 20 or more students in any grade level at a school, request the same or a substantially similar type of language acquisition program, the School District shall respond by taking actions to comply with the timelines and requirements of 5 CCR 13111(h):

i. Within 10 school days notify the parents and guardians of students attending the school, the school's teachers, administrators, and the School District's English learner parent advisory committee and parent advisory committee, in writing, of the parents' requests for a language acquisition program;

ii. Identify costs and resources necessary to implement any new language acquisition program, including but not limited to certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and

iii. Determine, within 60 calendar days, whether it is possible to implement the requested language acquisition program; and provide notice, in writing, to the parents and guardians of students attending the school, the school's teachers, and administrators, of its determination;

a. In the case of an affirmative decision to implement a language acquisition program at the school, create and publish a reasonable timeline of actions necessary to implement the language acquisition program.

b. In the case where the School District determines it is not possible to implement a language acquisition program requested by parents and guardians, the School District shall provide in written form an explanation of the reason(s) the program cannot be provided and the School District may offer an alternate option that can be implemented at the school. (**Cal. Code Regs., tit. 5, § 13111(h)**)

42. **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. (**42 U.S.C. § 11432(g)(1)(J) (ii), (g)(6)**)

43. **Sex Equity In Career Planning:** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (**Ed. Code, § 221.5(d)**)

44. **Pesticide Products:** All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information including the Internet address where the school

site integrated pest management plan may be found:

https://www.ogsd.net/apps/pages/index.jsp?uREC_ID=586850&type=d&pREC_ID=1076060

Parents or guardians may request prior notice of individual pesticide applications at the school and may view a copy of the integrated pest management plan in the school office. If a parent wishes to be notified every time a pesticide is going to be applied, he or she must complete the attached form and return it to the child's school. (Ed. Code, §§ 48980.3, 17612)

45. **School Accountability Report Cards:** The School District shall issue a School Accountability Report Card for each school, publicize those reports, and hereby notifies parents or guardians that a hard copy will be provided upon request, on or before February 1 of each year. (Ed. Code, § 35258)
46. **Pupil Fees:** A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)
- a. The following requirements apply to prohibited pupil fees:
- i. All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
 - ii. A fee waiver policy shall not make a pupil fee permissible.
 - iii. School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
 - iv. A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school. (Ed. Code § 49011(b))
- b. Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49011(c))
47. **Transfer of Student Convicted of Violent Felony or Misdemeanor (Ed. Code § 48929)**
The Governing Board of Oak Grove School District may transfer to another district school a student who has been convicted of a violent felony (as defined in subdivision (c) of Section 667.5 of the Penal Code) or convicted of a misdemeanor listed in Section 29805 of the Penal Code if the student to be transferred and the victim of the crime for which the student was convicted are enrolled at the same school, after meeting both of the following conditions:
- (a) The Board has adopted a policy at a regularly scheduled meeting that contains all of the following provisions:
 - (1) A requirement that the pupil and pupil's parent or guardian be notified of the right to request a meeting with the school principal or designee of the school or school district.
 - (2) A requirement that the school first attempt to resolve the conflict before transferring a pupil, including, but not limited to, using restorative justice, counseling, or other services.
 - (3) Whether the decision to transfer a pupil is subject to periodic review and the procedure for conducting the review.
 - (4) The process to be used by the governing board of the school district to consider and approve or disapprove of the recommendation of the school principal or other school district designee to transfer the pupil.
 - (b) The Board has provided notice of the policy to parents or guardians as part of the annual notification required pursuant to Section 48980.

The School District policy governing the transfer of a student convicted of a violent crime is in BP 5116.2, which can be reviewed on the website: ogsd.net.

Notification of Rights Under FERPA for Elementary and Secondary Schools

The Family Education Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's educational records within 45 days after the day the school receives a request for access.

Parents or eligible students who wish to inspect their child's or their education record should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

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

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

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA right. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee, or a parent, student, or other volunteer assisting another school official in performing their tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

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

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202**

HEALTHY SCHOOLS ACT OF 2000

Notice to all students, parents/guardians and employees of the **Oak Grove School District**:

Assembly Bill 2260 went into effect on January 1, 2001. This legislation enacted **Education Code sections 17608 et seq.** which require, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The Oak Grove School District expects to use the following pesticides at its campuses during the 2022-2023 school year:

| Product Name | Primary Active Ingredient | Expected Usage at Each School (Purpose and Amount) |
|--|---|--|
| 1. Rodent Bait Chlorophacinone Treated Grain | Chlorophacinone | To control gophers, moles voles and ground squirrels |
| 2. Wasp Freeze 2 | Cyclopropanecarboxylic acid | To control wasps and hornets |
| 3. Suspend SC | Deltamethrin | To control ants, spiders, roaches - 1 Pint annually |
| 4. EcoVia EC | Botanical Insecticide | To control ants, spiders, roaches |
| 5. Niban | Orthoboric acid | To control ants, spiders, roaches |
| 6. Maxforce Granules | Hydramethylon | To control ants - 1 lb. annually |
| 7. Rodent Bait Treated Grain | Diphantinone | To control gophers, moles voles and ground squirrels |
| 8. Gopher Getter Type 2 AG Bait | Diphantinone | To control gophers, moles voles and ground squirrels |
| 9. Omega GopherGrain Bait | Strychnine Alkaloid | To control gophers, moles voles and ground squirrels |
| 10. PT565XLO | Pyrethrin & Allesthrin | To control ants, roaches, spiders - 16 oz. annually |
| 11. Maxforce Bait Stations | Friornil | To control ants - 4 oz. annually |
| 12. DrioneDust | Pyrethrin/Silca Gel | To control bees, wasps - 1 lb. annually |
| 13. Cy-Kick-CS | Cyfluthrin | To control ants, roaches |
| 14. Talpirid | Bromethalin | To control gophers, moles voles and ground squirrels |
| 15. ZP Rodent Oat Bait AG | Zinc Phoshide | To control gophers, moles voles and ground squirrels |
| 16. Quali-Pro Oryzalin 4 Pro | Oryzalin: 3,5 N4, N4- dipropyl-sulfanilamide | To prevent weed germination 3 Gallons annually |
| 17. Martin's Gopher Bait 50 | Strychinine Alkaloid | To control gophers, moles voles and ground squirrels |
| 18. Talstar | Bifenthrin | To control general insects |
| 19. The Giant Destroyer | Sodium Nitrate, Sulfur, charcoal | To control gophers, moles voles and ground squirrels |
| 20. Aluminum Phosphide | Aluminum Phosphide | To control gophers, moles voles and ground squirrels |
| 21. Contrac All Weather blox | Bromadiolone | To control rats and mice |

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|----------------------------|--------------|----------------------------|
| 22. Final All Weather Blox | Brodifacoum | To control rats and mice |
| 23. Termidor SC | Fipronil | To control general insects |
| 24. Alpine WSG | Dinotefuron | To control general insects |
| 25. Archer | Pyriproxyfen | To control general insects |

Parents/guardians of the Oak Grove School District can register with the School District’s designee to receive notification of individual pesticide applications by calling 408-227-8300. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the department of Pesticide Regulation pursuant to **California Food and Agricultural Code section 13184**, you can do so by accessing the Department’s web-site at www.cdpr.ca.gov.

Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA) (20 USC 1232h)

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

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S Department of Education (ED)
 1. Political affiliation or belief of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisal of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student’s parent; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of-
 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 school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purposes of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- Inspect, upon request and before administration or use-
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

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

Oak Grove School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales or other distribution purposes. Oak Grove School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Oak Grove School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt the child out of participation of the specific activity or survey. Oak Grove School District will make this notification to parents at the beginning of the school year if the School District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Please refer to the School District website for further information (www.ogsd.net). The following is a list of the specific activities and surveys covered under this direct notification requirement:

-
- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
 - Administration of any protected information survey not funded in whole or in part by ED.
 - Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Student Privacy Policy Office U.S.
Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Oak Grove School District – Promotion/Retention Flow Chart/Timeline

| | |
|---|---|
| August | Students not meeting standards in language arts and/or mathematics (grades K-8) will be placed on a list at the beginning of the school year. Supplemental instruction/interventions will be identified based on previous year's CAASPP and/or District Fall Benchmark. |
| September | Fall - Goal Setting Conference |
| January | Report Card Conference: Form 1EO or 1ELL: "Notice of Student Not At Standard and Action Plan" (Use only one of the two: 1EO = for English Only students; 1 ELL = for English Language Learners). |
| If a student fails to meet two or more criteria (2 numbered items, not 2 bulleted items under each number), they may become "at risk of retention", (Criteria list for ELL is different from list for EO). Also use the Performance Expectations for ELL. Form 1EO or 1ELL may be given at the first parent/guardian conference for K-8 students and no later than the end of the first semester for 7/8 students who have been enrolled since September. Special education students may NOT receive Form 1s. Their promotion/retention status is IEP driven. | |
| January - May | At least one SST after the January Conference and before May 30. SST meetings regarding ELLs should include ELD staff or administration. |
| No later than May 30 | No later than May 30th or approximately two weeks before the last day of the school year, an informal meeting using the SST format must be used to help make the decision regarding retention. (Parents/guardians do not need to be present, only the recommending teacher, support staff, counselor, if applicable, and administration. Meetings regarding English Language Learners should include ELD (English Language Development) staff or administration. Only students who received a Form 1 EO or Form 1ELL need one of the two follow up forms (Form 2a or Form 3 – Form 3K). |
| OR | |
| Form 2a: "Not At Standard Follow Up Decision" (Decision to Promote) (Choose only one of the 3). <ol style="list-style-type: none"> 1. The student met standards for promotion. 2. The student did not meet the standards, but retention is not the appropriate intervention. 3. Additional intervention or supplemental instruction is needed before promotion can be recommended. Reevaluation for promotion will be based upon successful completion of specified requirements. | |
| OR | |
| Form 3: "Not At Standard Follow Up: Notice of Retention" ▼ The student did not show growth for promotion and will be retained at the current grade level. | |
| Form 3K: "Agreement to Continue Pupil in Kindergarten" Retained K students must receive Form 3K in addition to Form 3. Parents/guardians agree that K students will be retained for one full academic year. | |
| The parents/guardians have the right to appeal the school's decision. Please provide a Form 4 at the same time as Form 3 (Form 3K to avoid delay in the process in case parents/guardians decide to go through the appeal process). | |
| June - August | Form 4: "Retention Appeal to Principal" Form 4 must be submitted by parents/guardians within 10 school/business days of receiving a Form 3 (Form 3K) in order to appeal the promotion/retention decision. Principals need to promptly document a written response and send it to parents/guardians, along with a Form 5, in case the next step of appeal is needed. Parents/guardians have the right to appeal the principal's decision to the District Office. |
| Form 5: "Retention Appeal to Assistant Superintendent of Education Services/Designee" Form 5 must be submitted by parents/guardians within 10 school/business days of receiving the principal's written denial of appeal. The decision of the Assistant Superintendent/Designee must be made within 15 school/business days of receiving the appeal. The decision of the Assistant Superintendent/Designee is final. If parents/ guardians disagree with the final decision, they have the right to submit a written restatement of objections which shall become part of the student's cumulative record. | |

Oak Grove School District Acceptable Use Agreement (Based on Board Policy 6163.4)

Oak Grove School District (OGSD or District) is pleased to offer students access to district computers, communications systems (email, web sites, smart phones, blogging, podcasting and/or other emerging technologies), the Internet and an array of technology resources to promote educational excellence and innovation. While using District and personal technology devices and resources on or near school property, in school vehicles and buses, at school-sponsored activities, as well as using district technology resources via off-campus remote access, each student must act in an appropriate manner consistent with school, district, and legal guidelines. It is the joint responsibility of school personnel and the parent or guardian of each student to educate the student about their responsibilities and to establish expectations when using technology.

Access to OGSD technology resources is provided to students who agree to act in a considerate and responsible manner. Prior to being allowed access to the Internet at school for using District and/ or personal technology devices or resources or through any other technology resources provided through OGSD, students and their parents must sign the OGSD Acceptable Use Consent Form acknowledging their responsibilities. Students must comply with OGSD standards and this agreement to be permitted the use of OGSD technology.

Student and Parents must sign the Acceptable Use Agreement signature page and consent document to verify that Student understands and will comply with the provisions and conditions of the Acceptable Use Agreement, including that the Student will use the Oak Grove School District network and electronic devices only for educational purposes. The signature and consent form includes:

As the Student or as Student's parent/ guardian(s), I understand that any violation of a law or District rules may result in disciplinary action (including suspension and expulsion) and/ or legal or police action. I agree to report to a teacher or the principal any cyberbullying, harassment, or misuse of electronic devices, network, or the information system. I agree the School District has a right to "regulate the possession or use of any electronic signaling device" as stated in **Ed Code 48901.5**. I agree that I am voluntarily providing specific consent to any and all Oak Grove School District employees to search or otherwise access and review electronic device information by means of physical interaction or electronic communication with any District-owned electronic device used or possessed by Student. District employees may search or otherwise access and review electronic device information by means of physical interaction or electronic communication with any non-District-owned electronic device whether the device is owned by the Student, Parent, or anyone else, if used or possessed by Student if the search/access is desired because of a good faith belief that it is necessary to prevent a present emergency and risk of death or serious physical injury to any person.

Electronic device means a device that stores, generates, or transmits information in electronic form and includes a cell phone, smart phone, iPhone, computer, laptop, tablet, notebook, iPod, iPad, smart watch and similar devices. Electronic device also means email, voice mail, text messages, digital cameras, and portable storage devices such as thumb drives (flash memory) and zip drives.

OGSD technology resources are provided to students, and OGSD allows a student to use a personal electronic device that the Student brings to school, to conduct research, access curriculum resources, enhance parent involvement, complete assignments, and communicate with others in furtherance of their education. Access is a privilege, not a right; as such, general rules of school behavior apply. Just as students are responsible for good behavior in a classroom or on school grounds, they must also be responsible when using school computer networks or personal technologies related to school.

If a student violates any of these rules, their use shall be terminated and future access may be denied. Disciplinary action may also result. If possible criminal activity is discovered, the proper law enforcement authorities will be notified. Disciplinary action for students shall be in accordance with existing discipline policies and may include suspension or expulsion in accordance with the laws of the State of California and OGSD policy.

It is important that each parent or guardian discuss with their children the importance of compliance with all rules and requirements, good choices, and responsible decisions when using District or personal electronic device technology at school or related to school. OGSD technology resources shall only be used to access educational information and to promote learning activities both at school and home, including the facilitation of communication between the home and school.

1. Students shall not load personal software or programs on District computers or other District technology devices, nor shall they download programs from the Internet on any District or personal electronic device at school, without the approval of their instructor.
2. Virtual and physical vandalism shall not be tolerated. Any intentional act by a student that damages or interferes with performance of District technology hardware, software, operating systems, and communication systems will be considered vandalism and will be subject to school discipline and/or appropriate criminal or civil action.
3. Not all access to the Internet can be supervised at all times during the school day. Students agree not to send, access, submit, publish, display or print over the Internet or OGSD network, or using OGSD or personal technology resources while at school or related to school, any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, offensive or illegal material. Students will not send, access, submit, publish, copy, transfer, display or print any photos or videos of individuals who are nude or partially dressed.
 - **Cameras and smart phones with camera or video capability are never allowed to be used in a locker room, changing room, or a bathroom.**
 - **Cyberbullying is specifically prohibited.** Cameras and smart phones with camera or video capability are never allowed to be used to take photos or video of a student who does not know and does not consent to the photo or video being taken. Cameras and smart phones with camera or video capability are never allowed to be used to take photos or video of a student who is partially or completely naked. Serious harm has resulted to students who are cyber-bullied, harassed, threatened, or teased using technology resources, and **OGSD takes any such misconduct very seriously and will pursue discipline up to and including expulsion and will contact law enforcement if the behavior appears to constitute a crime.**
 - It shall be each student's responsibility to report promptly the inappropriate use, web site, or communication to the student's teacher or other staff member.
4. Although the School District uses a software filter to block known inappropriate web sites and prohibits access to harmful materials accessed from a District network, the School District does not filter or block access to harmful materials accessed from a District-provided resource that is being used outside of the School District network. Under any circumstances, filtering technology is not perfect and therefore may in effect both interfere with legitimate educational purposes and allow some objectionable material to be viewed.
5. The use of OGSD technology resources is not private; students should not expect that files stored on or transmitted via the School District's resources will be confidential. All digital transmissions are subject to inspection and/or monitoring by District employees and other officials. Digital storage is OGSD property, and as such, network administrators will review files and communications to maintain system integrity and ensure that students are using technology responsibly. Each student and parent by signing the Acceptable Use Agreement is voluntarily providing specific consent to any and all Oak Grove School District employees to search or otherwise access and review electronic device information by means of physical interaction or electronic communication with any District-owned electronic device used or possessed by Student. District employees may search or otherwise access and review electronic device information by means of physical interaction or electronic communication with any non-

District-owned electronic device whether the device is owned by the Student, Parent, or anyone else, if used or possessed by Student if the search/access is desired because of a good faith belief that it is necessary to prevent a present emergency and risk of death or serious physical injury to any person. This is necessary to ensure that students are using technology resources and devices at school or related to school in a safe, valid, and lawful manner.

6. OGSD denies any responsibility for the accuracy of information obtained from the Internet or on-line resources.
8. OGSD makes no warranties of any kind, expressed or implied, for the technology resources it provides to students.
9. Copyright ©, Trademark ™ and/or Registered ® laws must be adhered to at all times. All materials from the Internet and other digital resources, including graphics, which are used in student projects or reports, must be properly cited. Copyrighted, Trademarked or Registered materials may not be placed on the Internet without the permission of the author. Students who violate these requirements may face legal claims for misappropriation or misuse or other claims.
10. Students shall not post or transmit their own or other's personal information such as home addresses, telephone numbers, last names, photos, videos, or other personal identifying information.
11. The use of District technology resources may involve the use of a password, network access code or other identifying or validating code. Such passwords and codes are to be protected as private information provided to the individual user for their sole purpose. Such passwords and codes shall not be disclosed by the student to others.
12. Students shall not use District technology resources to conduct for-profit business activities or to engage in other activities unrelated to the educational purpose for which the technology is made available. Students shall not use District technology resources for advertising, promotion, commercial purposes or similar objectives, including the purchase of any items or services.
13. Students may bring personal technology, including computers, tablets, note books, smart phones, network access devices, or other electronic signaling devices to school provided that such technology is used for instructional purposes. Students shall abide by the instructions provided by teachers and other school staff in the use of such personal technologies. Access to the Internet or other District communication systems from personal technology is limited to wireless access points on the school campuses or other access devices away from school. Access to the Internet or other District communication systems from personal technology is not available via hardwire connections.

Consequences of Misuse and/or Violation of the Provisions of this Agreement

Misuse of personal or District and personal technology resources on or near school property, in school vehicles and buses, at or traveling to or from school-sponsored activities, or otherwise related to school activity or attendance, as well as using district technology resources via off-campus remote access, may result in disciplinary action up to and including, loss of access to District technology resources, including access to the Internet using District resources on a personal electronic device, and expulsion from the schools of the School District. This Agreement shall be used in conjunction with OGSD Board policies, California Education Code, and other local, state and federal laws and regulations governing the applicable matter.

Students, parents and guardians should recognize that the nature of the use of District technology resources extends outside of the school itself and into off-campus remote locations such as homes. The School District's jurisdiction to enforce student behavior and discipline policies and rules shall apply whether the misuse or violation is at school or away from school as long as the School District's technology resources are being used in the inappropriate behavior,

or the misconduct is otherwise related to school activity or attendance and not protected by applicable law. Misuse or a violation away from school that constitutes a threat or causes or is foreseeably likely to cause a material and substantial disruption of school will result in discipline.

Limitation of Liability

Oak Grove School District shall not be responsible for any damages suffered by the student, including those arising from non-deliveries, misdeliveries, service interruptions, unauthorized use, loss of data, and exposure to potentially harmful or inappropriate material or people. Use of any information obtained via the Internet or communications technologies is at the student's own risk.

Oak Grove School District specifically denies any responsibility for the accuracy or quality of information obtained through the Internet. The School District assumes no liability for personal electronic device technology, including computers, smart phones, network access devices, Air Pods or similar devices, or other electronic signaling devices, if such devices are damaged, lost or stolen. The student and parent/guardian shall indemnify and hold Oak Grove School District harmless from any losses sustained as the result of use or misuse of the School District's technology resources by the student, and/or the loss or damage of or to personal technology or personal technology devices.

The Education Code of the State of California requires that children attend school in the School District in which they reside, unless a transfer is granted. Parents/guardians may request an inter-district transfer/permit to another District based on the following information. Approval is not automatic.

- **Residency Based on Employment (Allen Bill 2071)** - **A letter from the employer must be included** with the inter-district request. One of the parents/guardians must maintain employment of 10 hours or more during the school week within the boundaries of the School District requested. (Ed. Code 48204(b))
- **Former Resident** - If parents move into the Oak Grove School District during the current school year, the student may continue attendance in the former District for the remainder of the school year. The student must have attended for a minimum of forty days in the former District. **A dated document that verifies the former address must be submitted with the application.**
- **Future Resident** - Students who are members of a family that has signed a lease, a contract to rent, build or buy a home in the School District may enroll in the semester in which they expect to become residents. **A copy of the document that confirms the transaction must accompany the application.**
- **Hardship** - If there is a need for change in the student's environment due to psychological, emotional, or medical reasons that cannot be accommodated at any of the schools within the Oak Grove School District, **a written confirmation from an authorized professional or government official must accompany the inter-district request application.**
- **Bullying** - Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the School District of residence or the school district of proposed enrollment must be given priority for inter-district attendance under any existing inter-district attendance agreement or additional consideration for the creation of an inter-district attendance agreement. (Ed. Code § 46600(b) and 48900(r))
- **Eighth Grade Privilege** - If parents/guardians move from the School District after a student has completed the seventh grade, the student may be allowed to complete the eighth grade at their former school. **A dated document that verifies the former address must accompany the application.**

The inter-district transfer/permit, if granted, will be valid for one school year. The agreement will continue in force only as long as the student demonstrates regular and punctual school attendance, satisfactory school behavior, and satisfactory academic achievement. The use of false information to secure a transfer will invalidate the transfer. Committing a suspendable or expellable offense will invalidate the transfer.

Transportation to the requested district will be the responsibility of the parent, unless transportation is required by applicable law. Special Education or Section 504 services will be provided as required by applicable law. If the request for an inter-district transfer is approved, it will be referred to the School District of the desired attendance for consideration. The School District of desired attendance has three options:

1) approve the request, 2) approve the request pending the availability of space, or 3) deny the request.

Appeal Process

If Oak Grove School District Student Services Staff denies an inter-district attendance request/permit from a District parent/guardian because it does not fall within the identified criteria or insufficient required information is presented, the parent/guardian may appeal to the Assistant Superintendent of Educational Services. After a face-to-face conference with the Assistant Superintendent of Educational Services, and if the appeal is denied, the parent/guardian may appeal to the Superintendent. The parent/guardian should write a letter to the Superintendent and provide complete information and all supporting documentation on which a further determination can be made. The Superintendent (or designee) will make a decision within five working days of receiving the appeal. If the appeal is denied, the parent/guardian may appeal to the Board of Trustees. If the appeal is denied by the Board of Trustees, the parent/guardian may appeal in writing to the Santa Clara County Board of Education, 1290 Ridder Park Drive, San Jose, California 95131-2398. The decision of the Santa Clara County Board of Education is the final administrative decision.



The federal government's legal



definition of homeless



Definition of homeless

definition of homelessness based on the McKinney-Vento Homeless Education Assistance Act is anyone who:

- Lacks a regular, fixed and adequate nighttime residence (substandard housing).
- Is sharing housing due to economic struggles (double-up).
- Is living in a shelter, hotel or motel.
- Is living in a public place not designated for sleeping (cars, parks).
- Is an unaccompanied youth.
- Is a child or youth awaiting foster care placement.
- Is a child or youth abandoned in a hospital.
- Is a migrant child who qualifies under any of the above.

Children's school enrollment rights

Your children have rights or protections under the McKinney-Vento Homeless Education Assistance Act and state law. They have the right to:

- Continue to attend the school in which they were last enrolled, even if you have moved away from that school's attendance zone or district.
- Immediate enrollment.
- Enroll even if you do not have a permanent address. (Proof of residency is not required.)
- Enroll even if you do not have school or immunization records.
- May receive transportation from your current residence back to your school of origin.
- May receive special programs and services.

One phone call will link you to all the help you'll need, including where to get a meal, employment resources, shelters, healthcare, substance abuse, and much more. Service is free, multi-lingual, and available 24 hours a day, 7 days a weeks.



Call 2-1-1 or 1-888-600-4357.

Need Help?
For questions or help with enrolling in school, contact the local liaison shown at the bottom of this page.

Other hotlines:

- CA Youth Crisis: 800-843-5200
- Child Abuse Registry: 800-207-4464
- National Domestic Violence: 800-799-SAFE
- National Runaway Switchboard: 800-786-2929
- Suicide & Crisis Service: 408-279-3312

Local Liaison:

Oscar A. Ortiz
Oak Grove School District
(408) 227-8300 X 100249
Email: oortiz@ogsd.net

Policy 1240: Volunteer Assistance**Original Adopted Date: 03/12/2020 | Last Reviewed Date: 03/12/2020**

Board Policy Manual Oak Grove School District

The Governing Board recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer work shall be limited to those projects that do not replace the normal duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and comply with employee negotiated agreements.

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

Volunteers shall act in accordance with district policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

The Superintendent or designee shall periodically report to the Board regarding the district's volunteer assistance program.

Workers' Compensation Insurance

The Board desires to provide a safe environment for volunteers and minimize the district's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the district. (Labor Code 3364.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested

in the subject matter of the policy.

| State | Description |
|------------------------|---|
| 22 CCR 101170 | Criminal record clearance |
| 22 CCR 101216 | Health screening, volunteers in child care centers |
| Ed. Code 35021 | Volunteer aides |
| Ed. Code 35021.1 | Automated records check |
| Ed. Code 35021.3 | Registry of volunteers for before/after school programs |
| Ed. Code 44010 | Sex offense; definition |
| Ed. Code 44814-44815 | Supervision of students during lunch and other nutrition periods |
| Ed. Code 45125 | Fingerprinting requirements |
| Ed. Code 45125.01 | Interagency agreements for criminal record information |
| Ed. Code 45340-45349 | Instructional aides |
| Ed. Code 45360-45367 | Teacher aides |
| Ed. Code 48981 | Parental notifications |
| Ed. Code 49024 | Activity Supervisor Clearance Certificate |
| Ed. Code 49406 | Examination for tuberculosis |
| Ed. Code 8482-8484.6 | After School Education and Safety Program |
| Ed. Code 8484.7-8484.9 | 21st Century Community Learning Center program |
| Gov. Code 12940 | Unlawful discriminatory employment practices |
| Gov. Code 3543.5 | Prohibited interference with employees' rights |
| H&S Code 1596.7995 | Immunization requirements for volunteers in child care center or preschool |
| H&S Code 1596.871 | Fingerprints of individuals in contact with child day care facility clients |
| Lab. Code 1720.4 | Public works; exclusion of volunteers from prevailing wage law |
| Lab. Code 3352 | Workers' compensation; definitions |
| Lab. Code 3364.5 | Authority to provide workers' compensation insurance for volunteers |
| Pen. Code 290 | Registration of sex offenders |
| Pen. Code 290.4 | Information re: sex offenders |
| Pen. Code 290.95 | Disclosure by person required to register as sex offender |
| Pen. Code 626.81 | Sex offender; permission to volunteer at school |
| PERB Decision | Whisman Elementary School District, (1991) PERB Decision No. 868 |

| Management Resources | Description |
|-----------------------------|--|
| Website | California Department of Justice, Megan's Law |
| Website | California Department of Education, Parents/Family and Community |
| Website | Commission on Teacher Credentialing |
| Website | CSBA |
| Website | California State Parent Teacher Association |

Cross References

| Code | Description |
|------|---|
| 0410 | Nondiscrimination In District Programs And Activities |
| 0500 | Accountability |
| 1000 | Concepts And Roles |
| 1100 | Communication With The Public |
| 1150 | Commendations And Awards |
| 1250 | Visitors/Outsiders |

| | |
|-----------------|---|
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 1700 | Relations Between Private Industry And The Schools |
| 3514 | Environmental Safety |
| 3514.1 | Hazardous Substances |
| 3515.2 | Disruptions |
| 3515.5 | Sex Offender Notification |
| 3530 | Risk Management/Insurance |
| 3541.1 | Transportation For School-Related Trips |
| 3541.1-E PDF(1) | Transportation For School-Related Trips |
| 3541.1-E PDF(2) | Transportation For School-Related Trips |
| 3543 | Transportation Safety And Emergencies |
| 4030 | Nondiscrimination In Employment |
| 4112.4 | Health Examinations |
| 4112.5 | Criminal Record Check |
| 4112.5-E PDF(1) | Criminal Record Check |
| 4127 | Temporary Athletic Team Coaches |
| 4131 | Staff Development |
| 4157.1 | Work-Related Injuries |
| 4212 | Appointment And Conditions Of Employment |
| 4212.4 | Health Examinations |
| 4212.5 | Criminal Record Check |
| 4212.5-E PDF(1) | Criminal Record Check |
| 4217.3 | Layoff/Rehire |
| 4222 | Teacher Aides/Paraprofessionals |
| 4227 | Temporary Athletic Team Coaches |
| 4231 | Staff Development |
| 4257.1 | Work-Related Injuries |
| 4312.4 | Health Examinations |
| 4312.5 | Criminal Record Check |
| 4312.5-E PDF(1) | Criminal Record Check |
| 4327 | Temporary Athletic Team Coaches |
| 4331 | Staff Development |
| 4357.1 | Work-Related Injuries |
| 5020 | Parent Rights And Responsibilities |
| 5141.4 | Child Abuse Prevention And Reporting |
| 5141.52 | Suicide Prevention |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.6 | Parental Notifications |
| 5145.6-E PDF(1) | Parental Notifications |
| 5148 | Child Care And Development |
| 5148.2 | Before/After School Programs |
| 5148.3 | Preschool/Early Childhood Education |
| 6020 | Parent Involvement |
| 6116 | Classroom Interruptions |
| 6142.2 | World Language Instruction |
| 6142.6 | Visual And Performing Arts Education |
| 6142.7 | Physical Education And Activity |
| 6142.8 | Comprehensive Health Education |

| | |
|------|---|
| 6145 | Extracurricular And Cocurricular Activities |
| 6154 | Homework/Makeup Work |
| 6171 | Title I Programs |
| 7140 | Architectural And Engineering Services |
| 9200 | Limits Of Board Member Authority |

Policy 6153: School-Sponsored Trips

Original Adopted Date: 04/09/2020 | Last Reviewed Date: 04/09/2020

The Governing Board recognizes that field trips supplement and enrich the classroom learning experience, lead to increased student achievement, and foster student engagement. The Board encourages field trips to reinforce and increase learning opportunities and to enhance district programs.

Field trips shall be conducted in connection with the District's course of study or school-related social, educational, cultural, athletic, school band, or other extracurricular or cocurricular activities. A field trip to a foreign country may be permitted to familiarize students with the language, history, geography, natural science, and other studies relative to the district's course of study. (Education Code 35330)

Requests for field trips involving out-of-state, out-of-country, or overnight travel shall be submitted to the Superintendent or designee. The Superintendent or designee shall review the request and make a recommendation to the Board as to whether the request should be approved by the Board. All other field trips shall be approved in advance by the principal.

The principal shall establish a process for approving a staff member's request to conduct a field trip. When planning trips, staff shall consider student safety, objectives of instruction, the most effective use of instructional time, the distance from school, district and student expense, and transportation and supervision requirements. Principals may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.

No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The Superintendent or designee shall coordinate with community groups to supply funds for students in need. (Education Code 35330)

The Board may approve the use of District funds for student expenses for in-state, out-of-state, or out-of-country field trips or excursions when permitted by law. In addition, expenses of instructors, chaperones, and other personnel participating in such trips, as well as incidental expenses for the use of District equipment during the trip, may be paid from District funds. (Education Code 35330)

Policy Reference Disclaimer: Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References State References

| | |
|--------------------------|---|
| Bus. Code 17550-17550.30 | Sellers of travel |
| Bus. Code 17552-17556.5 | Educational travel organizations |
| Ed. Code 32040-32044 | First aid equipment: field trips |
| Ed. Code 35330 | Field trips and excursions; student fees |
| Ed. Code 35331 | Provision for medical or hospital service for pupils (on field trips) |
| Ed. Code 35332 | Transportation by chartered airline |
| Ed. Code 35350 | Transportation of students |
| Ed. Code 44808 | Liability when students are not on school property |
| Ed. Code 48908 | Duties of pupils; authority of teachers |
| Ed. Code 8760 | Authorization of outdoor science and conservation programs |

Management Resources References

| | |
|---------|---|
| Website | American Red Cross |
| Website | U.S. Department of Homeland Security |
| Website | California Association of Directors of Activities |

Cross References

| Code | Description |
|-----------------|--|
| 0450 | Comprehensive Safety Plan |
| 0460 | Local Control And Accountability Plan |
| 1321 | Solicitation Of Funds From And By Students |
| 1700 | Relations Between Private Industry And The Schools |
| 3260 | Fees And Charges |
| 3311.2 | Lease-Leaseback Contracts |
| 3312.2 | Educational Travel Program Contracts |
| 3516 | Emergencies And Disaster Preparedness Plan |
| 3530 | Risk Management/Insurance |
| 3541.1 | Transportation For School-Related Trips |
| 3541.1-E PDF(1) | Transportation For School-Related Trips |
| 3541.1-E PDF(2) | Transportation For School-Related Trips |
| 5131 | Conduct |
| 5131.1 | Bus Conduct |
| 5141.22 | Infectious Diseases |
| 5141.7 | Sun Safety |
| 5142 | Safety |
| 5143 | Insurance |
| 5144 | Discipline |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5145.3 | Nondiscrimination/Harassment |
| 6142.6 | Visual And Performing Arts Education |
| 6143 | Courses Of Study |
| 6145 | Extracurricular And Cocurricular Activities |

Policy 5145.7: Sexual Harassment

Original Adopted Date: 03/01/2012 | Last Revised Date: 04/09/2020 | Last Reviewed Date: 04/09/2020

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment 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, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.
Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Complaint Process and Disciplinary Actions

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

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

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

Record-Keeping

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

Policy Reference Disclaimer: Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 4600-4670
5 CCR 4900-4965:
federal financial assistance
Civ. Code 1714.1
Civ. Code 51.9
Ed. Code 200-262.4
Ed. Code 48900
Ed. Code 48900.2
Ed. Code 48904
Ed. Code 48980
Ed. Code 48985
Gov. Code 12950.1

References

Uniform complaint procedures
Nondiscrimination in elementary and secondary educational programs receiving state or
Liability of parent or guardian for act of willful misconduct by a minor
Liability for sexual harassment; business, service and professional relationships
Prohibition of discrimination
Grounds for suspension or expulsion
Additional grounds for suspension or expulsion; sexual harassment
Liability of parent/guardian for willful student misconduct
Parent/Guardian notifications
Notices to parents in language other than English
Sexual harassment training

Federal

20 USC 1092
20 USC 1221
20 USC 1232g
20 USC 1681-1688
34 CFR 106.1-106.82
34 CFR 99.1-99.67
34 USC 12291
42 USC 1983
42 USC 2000d-2000d-7
42 USC 2000e-2000e-17

References

Definition of sexual assault
Application of laws
Family Educational Rights and Privacy Act (FERPA) of 1974
Title IX of the Education Amendments of 1972; discrimination based on sex
Nondiscrimination on the basis of sex in education programs
Family Educational Rights and Privacy
Definition of dating violence, domestic violence, and stalking
Civil action for deprivation of right
Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended

Management Resources

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|--|---|
| Court Decision: | Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274 |
| Court Decision: | Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473 |
| Court Decision | Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736 |
| Court Decision | Davis v. Monroe County Board of Education, (1999) 526 U.S. 629 |
| Court Decision | Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447 |
| Court Decision | Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 |
| Court Decision | Flores v. Morgan Hi I Unified School District, (2003, 9th Cir.) 324 F.3d 1130 |
| CSBA Publication | Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 |
| CSBA Publication | Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014 |
| U.S. DOE, Office For Civil Rights Publication | Dear Colleague Letter: Title IX Coordinators, April 2015 |
| U.S. DOE, Office For Civil Rights Publication | Q&A on Campus Sexual Misconduct, September 2017 |
| Sexual Harassment: It's Not Academic, September 2008 | |
| U.S. DOE, Office For Civil Rights Publication | Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001 |
| U.S. DOE, Office For Civil Rights Publication | Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 |
| Website | California Department of Education |
| Website | CSBA |
| Website | U.S. Department of Education, Office for Civil Rights |

Cross References

| Code | Description |
|------------------|---|
| 0410 | Nondiscrimination In District Programs And Activities |
| 0450 | Comprehensive Safety Plan |
| 1114 | District-Sponsored Social Media |
| 1312.1 | Complaints Concerning District Employees |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3 | Uniform Complaint Procedures |
| 3515.4 | Recovery For Property Loss Or Damage |
| 3515.4 | Recovery For Property Loss Or Damage |
| 3530 | Risk Management/Insurance |
| 3530 | Risk Management/Insurance |
| 3580 | District Records |
| 3580 | District Records |
| 4117.7 | Employment Status Reports |
| 4118 | Dismissal/Suspension/Disciplinary Action |
| 4118 | Dismissal/Suspension/Disciplinary Action |
| 4119.11 | Sexual Harassment |
| 4119.11 | Sexual Harassment |
| 4131 | Staff Development |
| 4218 | Dismissal/Suspension/Disciplinary Action |
| 4218 | Dismissal/Suspension/Disciplinary Action |
| 4219.11 | Sexual Harassment |
| 4219.11 | Sexual Harassment |
| 4219.21 | Professional Standards |
| 4219.21-E PDF(1) | Professional Standards |
| 4231 | Staff Development |
| 4317.7 | Employment Status Reports |
| 4319.11 | Sexual Harassment |
| 4319.11 | Sexual Harassment |
| 4319.21 | Professional Standards |
| 4319.21-E PDF(1) | Professional Standards |

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| 5125 | Student Records |
| 5125 | Student Records |
| 5131 | Conduct |
| 5131.2 | Bullying |
| 5131.2 | Bullying |
| 5131.5 | Vandalism And Graffiti |
| 5132 | Dress And Grooming |
| 5132 | Dress And Grooming |
| 5137 | Positive School Climate |
| 5138 | Conflict Resolution/Peer Mediation |
| 5141.4 | Child Abuse Prevention And Reporting |
| 5141.4 | Child Abuse Prevention And Reporting |
| 5141.52 | Suicide Prevention |
| 5141.52 | Suicide Prevention |
| 5144 | Discipline |
| 5144 | Discipline |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.1 | Suspension And Expulsion/Due Process |
| 5144.2 | Suspension And Expulsion/Due Process (Students With Disabilities) |
| 5145.2 | Freedom Of Speech/Expression |
| 5145.2 | Freedom Of Speech/Expression |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.6 | Parental Notifications |
| 5145.6-E PDF(1) | Parental Notifications |
| 5145.9 | Hate-Motivated Behavior |
| 6142.1 | Sexual Health And HIV/AIDS Prevention Instruction |
| 6142.1 | Sexual Health And HIV/AIDS Prevention Instruction |
| 6142.8 | Comprehensive Health Education |
| 6142.8 | Comprehensive Health Education |
| 6145 | Extracurricular And Cocurricular Activities |
| 6145 | Extracurricular And Cocurricular Activities |
| 6163.4-E PDF(1) | Student Use Of Technology |

STUDENTS

Title IX: Notice of Student Rights and Title IX Policy
(34 C.F.R. § 106.8, subd. (b); Cal. Ed. Code § 221.61.)

The School District does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law, Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C §§ 1681-1688, and specifically 34 C.F.R. § 106.8, subsection (b). Title IX requires that school districts take immediate and appropriate action to address any potential Title IX violations that are brought to its attention.

Title IX Coordinator

Oscar Ortiz is the Title IX Co-Coordinator for the Oak Grove School District (“District”) and can be reached by telephone at (408) 227-8300 ext. 100249, by e-mail at oortiz@ogsd.net, by mail or in person at 6578 Santa Teresa Boulevard, San Jose, CA 95119.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is also the alleged victim), in person, by mail, by telephone or by e-mail, using the contact information listed for the School District’s Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such reports may be made at any time, including during non-business hours.

Additionally, any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to Oscar Ortiz, Director Educational Services/Title IX Co-Coordinator, or to the Assistant Secretary for Civil Rights from the United States Department of Education, or both.

Sexual Harassment Under Title IX

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the school district conditioning the provision of an aid, benefit or service of the school district on an individual’s participating in unwelcome sexual conduct (quid pro quo);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or 3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30). Alleged conduct that does not rise to the level of the sexual harassment under Title IX will be addressed in accordance with other District policies that prohibit sexual harassment and/or sexbased discrimination, or address other forms of inappropriate conduct, as is deemed appropriate.

Alleged conduct that does not rise to the level of the sexual harassment under Title IX will be addressed in accordance with other District policies that prohibit sexual harassment and/or sexbased discrimination, or address other forms of inappropriate conduct, as is deemed appropriate.

Filing a Title IX Complaint with the School District

A formal Title IX complaint is a written complaint that alleges sexual harassment against a respondent (or the person accused of committing the alleged conduct), and requests that the school district investigate the allegation of sexual harassment. The written complaint must be filed by the victim of alleged sexual harassment, or the victim's parent/guardian, using the Title IX Coordinator's contact information listed above. A formal Title IX Complaint may also be signed and initiated by the Title IX Coordinator. It may be filed at any time the student, who is the victim of the alleged conduct, is participating in, or attempting to participate in the School District's education program or activity. However, the School District encourages all reports to be brought forth as soon as possible, as the length of time elapsed between an incident of alleged sexual harassment, and the filing of a formal complaint, may, in specific circumstances, prevent the District from collecting enough evidence to reach a determination.

The School District will process all formal Title IX complaints in accordance with Title IX and District Board Policy ("BP") 5145.7 – Sexual Harassment, and Administrative Regulation ("AR") 5145.71 - Title IX Sexual Harassment Complaint Procedures, which includes the option of informal resolution for certain matters.

All investigations will be conducted as confidentially as possible. Upon receipt of a formal complaint, the School District will provide the complainant and respondent (or "the parties") with adequate notice of the School District's complaint process and the underlying allegations. During the course of the investigation, the School District will provide the parties with an equal opportunity present witnesses and evidence. The School District will not restrict the ability of the parties to discuss the allegations under investigation, and it will allow parties to utilize an advisor of their choice. As detailed in AR 5145.71, prior to the conclusion of the investigation, the parties will have the opportunity to inspect and respond to evidence directly related to the allegations in the complaint that was gathered during the course of the investigation. Thereafter, and prior to any final decision being made, the parties will receive a copy of the investigation report that fairly summarizes relevant evidence, and they will have an opportunity to submit written, relevant questions to be asked of the other party or any witness. Next, a determination regarding responsibility will be made and issued in writing to both parties. Under Title IX and District policy, the responding party is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the complaint process. Any party not satisfied with the final written determination will have the option to appeal the final determination, as detailed in AR 5145.71.

Additionally, any complainant who is dissatisfied with the School District's determination may file an appeal in writing with the California Department of Education within 30 calendar days of receiving the School District's written determination, which shall serve as the Investigation Report required as part of California's Uniform Complaint Procedures (cf. BP/AR 1312.3 – Uniform Complaint Procedures). Sexual harassment and discrimination complaints made by or on behalf of students may also be filed with the U.S. Department of Education, Office of Civil Rights within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by the Office of Civil Rights for good cause shown under certain circumstances.

Additional details about procedures for filing a formal Title IX complaint may be found in BP – 5145.7 – Sexual Harassment and AR 5145.71 – Title IX Sexual Harassment Complaint Procedures found on our District website at <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030929>.

Copies may also be obtained at the School District office.

All Other Student Complaints of Sexual Harassment and Discrimination

The School District requires all employees and encourages all parents, students, and community members to immediately report suspected incidents of all forms of sexual harassment or discrimination, regardless of when it occurred, to the Title IX Coordinator or a District administrator so that the School District may take appropriate steps to address the alleged misconduct. Sexual harassment and discrimination complaints brought forth by or on behalf of students that do not qualify as formal Title IX complaints, or do not rise to the level of sexual harassment as defined by Title IX, as described above, will be processed in accordance with BP/AR 1312.3 – Uniform Complaint Procedures, or in a manner that is otherwise deemed appropriate by the School District. Please be aware that the timeline for filing a complaint of sexual harassment or discrimination under California’s Uniform Complaint Procedures is six months from the date of the alleged incident, or six months from the date the complainant first obtained knowledge of the facts of the alleged incident (cf. BP and AR 1312.3 – Uniform Complaint Procedures.)

Student Rights Pursuant to Education Code Section 221.8

In addition to federal law, the California Education Code similarly prohibits schools from discriminating against its students on the basis of sex. Education Code section 221.8 provides as follows:

- (a) The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), may be used by the department for purposes of Section 221.6: You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
- (b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- (c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
- (d) You have the right to apply for athletic scholarships.
- (e) You have the right to receive equitable treatment and benefits in the provision of all the following:
 1. Equipment and supplies
 2. Scheduling of games and practices
 3. Transportation and daily allowances
- (f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.
- (g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
- (h) You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights or the state Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- (i) You have the right to pursue civil remedies if you have been discriminated against.
- (j) You have the right to be protected against retaliation if you file a discrimination complaint.

STUDENTS

Title IX Sexual Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct.

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the School District's education program or activity.

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with BP/AR 1312.3 – Uniform Complaint Procedures. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the School District's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under BP/AR 1312.3 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for BP/AR 1312.3 are concurrently met while implementing the Title IX procedure.

(cf. 1312.3 – Uniform Complaint Procedures)

Reporting Allegations/Filing a Formal Complaint

A student who is the alleged victim of sexual harassment or the student's parent/guardian may submit a report of sexual harassment to the School District's Title IX Coordinator using the contact information listed in AR 5145.7 – Sexual Harassment or to any other available school employee, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

(cf. 5145.7 – Sexual Harassment)

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint. (34 CFR 106.44)

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

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the School District's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

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

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and designed to restore or preserve equal access to the School District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School District's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The School District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the School District's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal from School

A student shall not be disciplined for alleged sexual harassment under Title IX until the investigation has been completed. However, on an emergency basis, the School District may remove a student from the School District's education program or activity, provided that the School District conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44) Dismissal of Complaint The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the School District's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the School District in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the School District, or sufficient

circumstances prevent the School District from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section “Appeals” below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to BP/AR 1312.3 – Uniform Complaint Procedures as applicable.

Informal Resolution Process

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

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

- Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

- Obtains the parties’ voluntary, written consent to the informal resolution process.

- Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Written Notice

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

- The School District’s complaint process, including any informal resolution process.

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

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

- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process.

The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence.

The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator

Investigation Procedures

During the investigation process, the School District's designated investigator shall: (34 CFR 106.45)

Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the School District may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties.

Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate.

Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report.

Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness.

Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the

conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

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

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

Written Decision

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

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

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

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

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

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

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

- Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30.

- A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the School District includes hearings as part of the grievance process.

- Findings of fact supporting the determination.

- Conclusions regarding the application of the School District's code of conduct or policies to the facts.

- A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the School District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School District's educational program or activity will be provided by the School District to the complainant.

The School District's procedures and permissible bases for the complainant and respondent to appeal.

Appeals

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

Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

Issue a written decision describing the result of the appeal and the rationale for the result.

Provide the written decision simultaneously to both parties.

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

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

The School District's decision may be appealed to the California Department of Education within 30 days of the written decision in accordance with BP/AR 1312.3.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

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

Corrective/Disciplinary Actions

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

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

(cf. 5144 - Discipline)

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

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

Transfer from a class or school as permitted by law

Parent/guardian conference

Education of the student regarding the impact of the conduct on others

Positive behavior support

Referral of the student to a student success team

(cf. 6164.5 - Student Success Teams)

Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 4117.7/4317.7 - Employment Status Report)

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

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary

sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.

A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the School District's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.

All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The School District shall make such training materials publicly available on its web site, or if the School District does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Websites)
(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

-262.4 Prohibition of discrimination on the basis of sex

Grounds for suspension or expulsion

Additional grounds for suspension or expulsion; sexual harassment

Notices, report, statements and records in primary language

CIVIL CODE

Liability for sexual harassment; business, service and professional relationships

Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

Sexual harassment training

CODE OF REGULATIONS, TITLE 5

-4670 Uniform complaint procedures

-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

Definition of sexual assault

Application of laws

G Family Educational Rights and Privacy Act

-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 34

Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

Civil action for deprivation of rights

d-2000d-7 Title VI, Civil Rights Act of 1964

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

CODE OF FEDERAL REGULATIONS, TITLE 34

-99.67 Family Educational Rights and Privacy

-106.82 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, (2000, 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

FEDERAL REGISTER

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579

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

Q&A on Campus Sexual Misconduct, September 2017

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

Dear Colleague Letter: Title IX Coordinators, April 2015

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>

(7/20) 10/20

FAMILY INVOLVEMENT

In a democracy, parents and guardians are encouraged and welcomed to become involved in the formal education of their children enrolled in public schools. This early and consistent parental involvement helps children to do well academically. When this involvement is combined with a partnership between home and school, the student, the school and the community benefit.

Parents and guardians of enrolled students have the right to be included in the educational process and to have access to the system on behalf of their children. These rights are outlined in **Education Code 51100-51102. (B.P. 1240, 1250 and 5020)**

Classroom Observing

Parents have the right to visit their child's classroom to observe activities, unless a court order limits this. The time and date of the visitation must be arranged in advance with the school.

Teacher Conferencing

Parents have the right to request a conference with their child's teacher(s) or the principal. Parents should contact the school to schedule a date and time convenient to all participants.

Volunteering

Parents have the right to volunteer their time and resources for the improvement of school facilities and programs under the supervision of district employees. Parents should contact the school to determine the terms and conditions of this service.

Student Attendance

Parents have the right to be notified in a timely manner if their child is absent from school without permission. Parents must notify the school office the morning of the student's absence or send a signed note the following day.

Student Testing

Parents have the right to be notified of their child's performance on standardized and statewide tests and the school's ranking on these tests. (Under other state law, parents may request that their child not participate in the statewide tests.)

School Selection

Parents have the right to request that their child be enrolled in any school in the School District. The School District is not compelled to grant the request, but the School District will respond to the request. Parents can visit a school in which they are interested in requesting a transfer for their child to attend after scheduling a time with the school office.

Safe School Environment

Parents have the right to a safe and supportive learning environment for their child.

Curriculum Materials

Parents have the right to examine the curriculum materials of the class or classes in which their child is enrolled.

Student Academic Progress

Parents have the right to be informed of their child's academic progress in school and of the persons to contact if they wish more information or assistance with their child.

Student Records

Parents have the right to access their child's records and to question anything they feel is inaccurate or misleading or an invasion of privacy. Parents have the right to a timely response from the school district about their questions.

Standards

Parents have the right to receive information regarding the academic standards, proficiencies, or skills their child is expected to meet.

School Rules

Parents have the right to receive notification of school rules, discipline rules, attendance policies, dress codes, and procedures for school visitations.

Psychological Testing

Parents have the right to receive information on all psychological testing recommended for their child and to deny permission to give the test.

Councils and Committees

Parents have the right to participate as a member of a parent advisory committee, school-site council, or site-based management leadership team in accordance with established rules and regulations for membership.

Parents also have the right to attend at least two meetings per year scheduled by the school to get information on school issues and activities.

Retention Information

Parents have the right to be notified as early in the school year as practicable if their child is identified as being at risk of retention and to consult with school staff about the decision and appeal the decision.

Policy Development

Parents and guardians have the right and should be given the opportunity to work in a mutually supportive and respectful partnership with the school to help their child succeed. The governing board of each school district shall adopt a jointly created policy that outlines how parents and guardians, school staff, and students may share the responsibility for the intellectual, physical, emotional, and social development, and well-being of their students.

This policy shall include, but is not limited to:

1. How parents/guardians and the school will help students to achieve academic and other standards.
2. How the school will provide high-quality curriculum and instruction in a supportive learning environment to all students enrolled to enable students to meet the school's academic expectations.
3. What parents and guardians can do to support their child's learning environment, including but not limited to:
 - Monitoring school attendance
 - Monitoring homework completion
 - Encouraging participation in extracurricular activities
 - Monitoring and regulating screen time.
 - Planning and participating in activities at home supportive of classroom activities
 - Volunteering at school
 - Participating in decision-making processes at school

Parent Visitation

Each school has classroom visitation guidelines that have been established to provide opportunities to visitors for observation while protecting the classroom learning environment.

MEGAN'S LAW SEX OFFENDER INFORMATION

Sex offenders must register their location, unless the offender is relieved of this responsibility through legal processes.

The public can learn if a person is a registered sex offender by calling the local police department or by checking a website: www.meganslaw.ca.gov.

The website has photographs and descriptive information on registered sex offenders residing in California who have been convicted and are required to register their location with local law enforcement.

English Learner Identification Process

A Home Language Survey is completed when enrolling your child in a California school. If a language other than English is listed on questions #1, #2, or #3, your child will be given the Initial English Language Proficiency Assessments for California (ELPAC) within the first 30 days of school by a member of our English Language Development (ELD) staff. This test measures how well a student knows English, including listening, speaking, reading, and writing.

After taking the initial ELPAC, there are two possible outcomes:

Your child scores proficient:

You receive notification of his/her status as Initial Fluent English Proficient (IFEP).

Your child will not be in the ELD program and will not receive ELD instruction.

Your child scores below proficient overall:

You receive notification of his/her status as an English Learner (EL).

Your child will be in the ELD program, meaning he/she will receive additional support and language instruction by the classroom teacher or ELD Instructional Assistant until reclassification.

Your child's classroom teacher will not change based on the results.

*If your child was enrolled at another California public school, we will maintain the language designation from that school.

Revised 03/30/2020

OAK GROVE SCHOOL DISTRICT
6578 Santa Teresa Boulevard
San Jose, CA 95119
408-227-8300

BOARD OF TRUSTEES:

Bejia Gonzalez
Carla Hernandez
Nancy Yue
Tami Moore
Jorge Pacheco Jr.

EXECUTIVE TEAM:

Jóse Manzo, Superintendent
Ivan Chaidez, Assistant Superintendent
Mark Evans, Assistant Superintendent
Amy Boles, Assistant Superintendent



PROGRAM OPTIONS FOR ENGLISH LEARNERS

ELD Program Description
ELD Instruction
EL Identification Process
Reclassification Process

Oak Grove School District, in partnership with parents, staff, students, and the community, ensures educational programs to meet the needs of all students. Together, we are partners for excellence in education.

This brochure is designed to give parents of identified English Learners, an overview of what program options are available to their children. We are committed to providing an environment that enables all learners to develop the knowledge and skills to compete in a global economy, and to understand and exercise the rights and responsibilities of citizenship.

ENGLISH LEARNER PROGRAMS

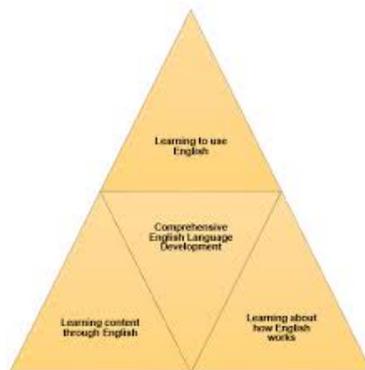
OGSD currently offers two programs for English learners: Structured English Immersion (SEI) and Dual Immersion (DI).

- In Structured English Immersion, the curriculum and instruction are designed for pupils who are learning English. Students are grouped according to their language proficiency levels and instructional needs, within a mainstream setting. Classrooms are balanced to ensure that there are native speakers of English, fluent-English-proficient students, and English Learners (ELs). In addition, ELs at the Emerging proficiency level often received additional support in the classroom from an instructional assistant. Emergent level instruction *may also include* primary language support to motivate, clarify, direct, support and explain. The goal of the SEI program is English language proficiency and cross cultural understanding.
- Dual Immersion provides language learning and academic instruction for native speakers of Spanish as well as native speakers of English. The language of instruction is Spanish, with Academic English Language Development provided for 10% of the day in kindergarten and increasing annually until it reaches 50% in the upper grades. The goal of the DI program is proficiency in both Spanish and English, as well as cross cultural understanding.

Parents interested in enrolling their child in a dual immersion program can do so through the intra-district application process. Details can be found on our website at www.ogsd.net

ELD INSTRUCTION

English Language Development (ELD) is instruction designed to help students acquire academic English in listening, speaking, reading and writing. Each school site determines how students received Designated ELD instruction, based on proficiency levels.



Who teaches ELD?

The regular classroom teacher is responsible for ELD instruction and there are many ways that teachers structure their lessons. Student groupings may change from day to day, or from lesson to lesson, depending on the content and the instructional needs of the students.

Examples:

- Teacher instructs whole class (direct instruction) then does follow-up with the ELs in a small group.
- Teacher meets with the cluster of ELs for 20/30minutes a day while the other students are working independently.
- Teacher meets with the EL cluster during grade level reading or writing instruction, as one of the small groups that meets daily with the teacher for differentiated instruction.

WHEN WILL MY CHILD EXIT ELD?

This is called reclassification and it happens when a child meets all of the state and district's criteria below. Students in OGSD who enter with limited English language experience can expect to exit the program (be reclassified) within 5-7 years, although they may exit before that. Children who enter with English language experience may only need a few years of additional ELD support.

Our goal is for every English learner to become fully proficient in English (listening, speaking, reading, and writing) and to master state standards for academic achievement as rapidly as possible.

This district's reclassification criteria are:

1. **ELPAC:** Overall Level 4
2. **Comparison of Performance in Basic Skills:**
 - a. Grade K-3: At or Above grade level at the time of testing on district assessment (iReady)
 - b. Grade 4-8: Meet/Exceed Standards on state assessment (SBAC) and/or At or Above grade level at the time of testing on district assessment (iReady)
3. **Teacher Evaluation:** Teacher review of student's readiness to participate effectively in district's grade level curriculum based on report cards, classroom work and teacher observations.
4. **Parent Opinion and Consultation:** Notify parent and allow opportunity for parent consultation

IF YOU STILL HAVE QUESTIONS ABOUT EL PROGRAMS

Contact the Director of Educational Services and Title III Federal Programs Administrator at jenna@oakgrovesd.net

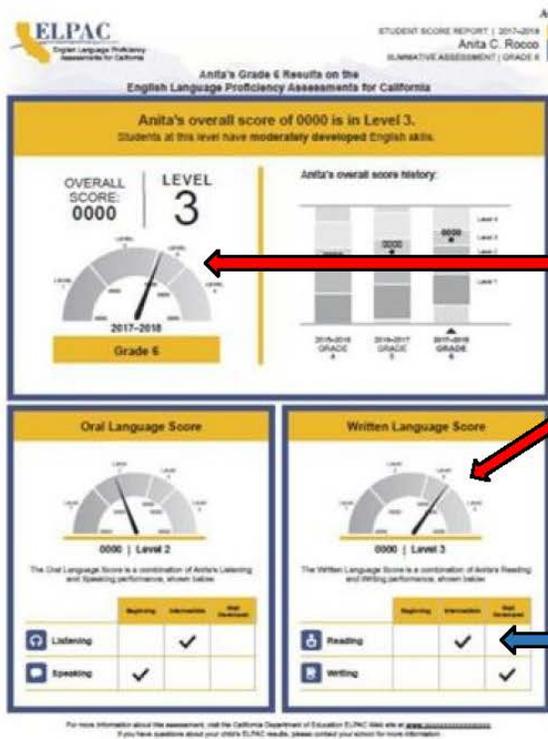
ELPAC Proficiency Level Descriptors vs. ELPAC Performance Levels

The four ELPAC levels describe how students perform in English. The table below shows how these four ELPAC levels relate to the three proficiency levels described in the ELD Standards.

| | | | | |
|--|--------------------------------|-------------------------------|---------------------------------|---------------------------|
| ELPAC Levels (Performance levels) | Level 1 Minimally Developed | Level 2 Somewhat Developed | Level 3 Moderately Developed | Level 4 Well Developed |
| ELD Standards Proficiency Levels (PLDs) | Emerging | Expanding | | Bridging |

ELD Standards Proficiency Level Descriptors (PLDs)

- The PLDs depict student knowledge, skills, and abilities across a continuum, identifying what ELs know and can do at early stages and upon exit from each of three proficiency levels: Emerging, Expanding, and Bridging.
- A proficiency level does not identify a student (e.g., “Emerging student”), but rather identifies what a student knows and can do at a particular stage of English language development.



Four Performance Level Descriptors:
 4: Well Developed
 3: Moderately Developed
 2: Somewhat Developed
 1: Minimally Developed

**Three Performance Levels:
(Listening, Speaking, Reading, Writing)**
 3: Well Developed
 2: Intermediate
 1: Beginning



6578 Santa Teresa Boulevard, San Jose, CA 95119, Phone: (408) 227-8300, Fax: (408) 629-7183

Re: Parental Awareness of Social Media Issues and Cyber Bullying

Dear Parent or Guardian:

In an effort to enhance the safety of your child, Oak Grove School District is being proactive by bringing to your attention a growing and potentially dangerous use of the Internet by teens and perhaps your child. Some of you may not be aware that this may have serious consequences to your child.

Oak Grove School District has serious concerns over social media sites. There is a growing trend where information is posted of a personal nature and highly personal information is exchanged with others who may be students or who may be predators posing as students. In reviewing the sites, it is obvious that even though some account holders are minors and do **not** meet the "Terms of Service" criteria, they are able to use fictitious birth dates and access the system.

Administrators of social media sites are aware of various concerns surrounding child safety issues that result from minors using their websites. The purpose of this letter is to bring this trend to your attention so that you may protect yourself and your children from cyber stalking by adult Internet predators who visit the site to obtain personal information about children, and who often try to initiate in-person contact with children who use the site.

Social media has also become a frequent source of cyber bullying. Cyber bullying occurs when a preteen, teen, or adult is tormented, threatened, harassed, humiliated, ridiculed or otherwise targeted by another preteen, teen or adult using the Internet. Our recommendation is that you monitor Internet and social media usage by your child(ren) on a regular and ongoing basis. As a parent/guardian, we encourage you to be proactive in discussing appropriate and inappropriate uses of the Internet, email, and social media with your child(ren).

Please be sure that your child(ren) understand that if they torment, threaten, harass, humiliate, ridicule, or otherwise target or cyber bully another individual who they know through school in a way that is likely to cause or causes substantial disruption to the school, your child may be disciplined (up to and including suspension or expulsion). We interpret the relationship to school to include messages sent from a home computer or personal device if the message(s) is sent to or talks about another student, the school, or school staff or if the electronic activity is otherwise related to school activity or attendance.

Please be sure that your child(ren) understands that if he or she is the target or victim of such school-related behavior, that the cyber bullying should be immediately reported to school administration for investigation. While the school cannot discuss with you the details of any corrective action taken against another student, you will be assured that what we believe to be effective action to stop the behavior from recurring will be taken. Of course, should any further cyber bullying occur, notify the school again so that further and more serious corrective action can be taken. The School District is very concerned about such behavior and is determined to take effective action to stop the school-related behavior once brought to our attention.

The safety of our children is our paramount concern. Please feel free to contact the Administrator (Principal or Assistant Principal) at your child's school if you have any questions or concerns regarding your child's use of social media. We are very happy to work with parents/guardians to help ensure the safety of all students.

Respectfully,

A handwritten signature in black ink that reads "José L. Manzo". The signature is written in a cursive style with a large, stylized "J" and "M".

Superintendent
José L. Manzo

Internet Safety

Many people have expressed concerns over the safety and privacy issues surrounding social networking sites. Here are some tips that everyone, but especially teens, should follow while using social media. Social media is defined as websites and other online means of communication that are used by large groups of people to share information and develop social and professional contacts.

Use the privacy settings social media offers. The settings are there to keep you safe while still allowing you to connect with the people you want.

Only make your profile viewable to your friends, not everyone in your network. There is no need for people you do not know who are in the same network to view your profile. If you are friends with someone, then they can see information about you.

Don't post your last name; just use your last initial. People can search for you within a network, and if they know you, they will recognize you and do not need to see your last name.

Do not post anything inappropriate on your own profile or on someone else's profile. Even if you use the privacy settings, it does not mean all of your friends do.

Delete inappropriate comments or wall posts on your profile.

Only accept or add people as friends that you know in person. Not everyone is the person they portray themselves as online.

Do not post your address, phone number or school schedule on your profile.

Social media are popular places for your children to network and communicate with friends. But, to protect their safety and your whole family's privacy, you must teach your children to exercise caution. You should also communicate with them constantly about their online use and educate yourself and them about the dangers facing them online.

As a parent/guardian, please consider the following guidelines to help your children make safe decisions about using online communities.

- **Talk to your kids about why they use social media, how they communicate with others and how they represent themselves on social media.**
- **Kids shouldn't lie about how old they are. Social media members must be 14 years of age or older.** Most social media sites take extra precautions to protect the younger members but cannot do so if they do not identify themselves as such.
- **Social media sites are a public space.** Members shouldn't post anything they wouldn't want the world to know (e.g., phone number, address, IM screen name, or specific whereabouts). Tell your children they should avoid posting anything that would make it easy for a stranger to find them, such as their local hangouts.
- **Remind them not to post anything that could embarrass them later or expose them to danger.** Although social media is public, teens sometimes think that adults can't see what they post. Tell them that they shouldn't post photos or info they wouldn't want adults to see.
- **People aren't always who they say they are. Ask your children to be careful about adding strangers to their friends' list.** It's fun to connect with new friends from all over the world, but members should be cautious when communicating with people they don't know. They should talk to you if they want to meet an online friend in person, and if you think it's safe, any meeting should take place in public and with friends or a trusted adult present.
- **Harassment, hate speech and inappropriate content should be reported.** If your kids encounter inappropriate behavior, let them know that they can let you know, or they should report it to the authorities.
- **Don't get hooked by a phishing scam.** Phishing is a method used by fraudsters to try to get your personal information, such as your username and password, by pretending to be a site you trust.

For more information on Monitoring software, please visit:

k9webprotection.com

SafeFamilies.org

To learn more please visit these other resources:

[OnGuard Online](http://OnGuardOnline)

Netsmartz.org

WiredSafety.com

<https://csn.org>

GetNetWise.org

<https://www.connectsafely.org>

Ncpc.org

<https://www.common sense media.org>

CYBERBULLYING

What is cyberbullying?

Cyberbullying/harassing other individuals through communication technologies such as the Internet, emails, chat rooms, cell phones, on-line journals/blog sites and instant messages. The legal definition is in Education Code 48900(r).

How is cyberbullying different than "traditional" forms of bullying?

In traditional forms of bullying, victims know their bullies. When youth are cyberbullied, they may receive messages from individuals anonymously or from individuals with electronic aliases. A victim's cyberbully can be their best friend. Traditional bullying typically occurred at school or on the way to and from the school ground. Victims of cyberbullying often cannot hide from their bullies, and they can be victimized in their own home 24 hours a day, 7 days a week - wherever and whenever they access their electronic equipment.

How pervasive is the problem?

It is difficult to assess the extent of the problem because this is a relatively new phenomenon in the U.S. Most of the available research has been conducted in England, Australia, New Zealand, and Canada - countries that have been impacted by cyberbullying for several years. Data from England shows that 1 in 3 children between the ages of 7 and 11 have their own mobile phones, and a 2002 British survey found that one in four youth, aged 11 to 19 has been threatened, including death threats, via their computers or cell phones.

What are some examples of the cyberbullying?

The most popular form of cyberbullying is nasty text or Social Media messages sent via cell phones. Children or adults who are harassed by cell phone can receive up to 50 messages a day.

Other uses of cell phones include taking a picture with a camera phone and then posting the picture where hundreds or thousands of others can view it. Several incidents have occurred where students have been in a locker room, shower, or bathroom and a picture was taken of them and posted to an Internet site. Oak Grove School District prohibits the use of a camera phone in the schools' locker rooms, showers, and bathrooms, and a student who violates this will be disciplined up to and including expulsion from school.

Another example of cyberbullying includes on-line voting booths that allow students to vote for the ugliest, fattest, or dumbest boy/girl at a given school.

People can also be bullied through instant messages that are delivered to their home computer when they log on to use the Internet or check email.

Why should I be concerned?

Research on traditional bullying indicates there are both short and long-term consequences on victims such as, low self-esteem, depression, illness, anxiety, absenteeism, and thoughts of suicide. Students have committed suicide because of being victimized by cyberbullying. Although research about how victims and bullies are impacted by cyberbullying is still being conducted, preliminary data suggests that cyberbullying may have more devastating effects than its traditional counterpart. Cyberbullying also impacts and disrupts schools. Although incidents that happen in cyber space may occur off school campus, the effects are seen and felt in the school's climate. Cyberbullying incidents

that go unaddressed can escalate and be the cause of legal concerns for schools or school systems and the cause of legal concerns for the parents of the cyberbully.

What can be done?

First and foremost, parents, teachers, law enforcement, and other concerned adults need to be aware of the technology young people are using and the dangers that the various forms of communication can present. Adults should also be aware of the impact that bullying can have on young people and where one can turn for help should their child be involved with cyberbullying. Parents should be proactive in overseeing their child's use of technology and taking action at home to stop the cyberbullying if their child is cyberbullying another individual.

Tips for children

- Be careful not to give your number or on-line address to others that are not a close friend.
- Never give out your password!
- Do not respond to messages from people you do not know.
- Do not respond to electronic bullying messages.
- Save, print, take a screenshot, or take a photo of harassing messages.
- Report harassment to parents and school officials.
- Never meet on-line acquaintances without an adult present.
- Change your on-line account or cell phone accounts if necessary.

Tips for parents

- Talk with children about the threat of on-line or electronic bullies.
- Place the computer in a familiar place where its use can be monitored and monitor it.
- Watch your children's reactions when email or instant messages come in.
- Consider purchasing software that records instant messages.
- Know whom to contact if your child is involved in cyber bullying.
- Consider prohibiting use of SnapChat or other Social Media that has an automatic delete function where messages and photos automatically disappear after a few second. The auto-delete function is the reason many students use such Social Media for bullying and inappropriate messages and photos.

Tips for educators

- Educate teachers and students about the seriousness of the problem.
- Amend anti-bullying policies to include electronic bullying.
- Teachers should discuss Internet safety with their students.
- Educate parents about cyber bullying and whom they should contact if their child is involved in a bullying incident (such as a teacher or the principal).

For more information visit the following sites:

www.cyberbullying.org

www.mediasmarts.ca/parents

Why do some kids tease and harass others?

Most of us have teased other people at some time. Of course, we all know that teasing is unkind and we don't like it when other people tease us. So why do we tease? Why do some kids do it so frequently?

- **Some people think that they can make themselves look better by cutting other people down.** Pretty silly, huh? In the end, saying bad things about other people is a bad idea, because pretty soon your friends start to worry that maybe you say bad things about them, too.
- **Some people try to get more power in their group by spreading rumors about other people or saying things to hurt their feelings.** Some people think they can become more popular by making other kids look dumb. But real leaders build other people up, not knock them down.
- **Some kids think that being mean to other kids make them tough and makes other people respect them more.** But when people fear you, it is not the same thing as having them respect you (or like you).
- **Some kids develop really bad habits, and bad habits are hard to break!** Once you get into a bad habit, like teasing other kids or spreading rumors, it is hard to stop. Also, some kids are used to call people names and teasing at home, and it's hard to stop doing it when they get to school.

Want to do more to help our school to be a Harassment-Free Zone?

- **Talk to your friends about your commitment to living without teasing and harassing.** If you're trying to give up teasing, name-calling, and rumors, it will be easier if your friends support you, and even easier if they decide to give it up too!
- **Keep your old good friends, and make new ones too!** Everybody needs a friend. Make sure you help others make them!

Keeping Schools Free

of

TEASING,

BULLYING,

AND

HARASSMENT

FREE ZONE

Here's what you need to know to help keep our school free of teasing, harassment, and bullying.

Teasing, Bullying, and Harassment

A Resource for students and families

This guide has been presented to:

Because:

- He/she has visited the counselor, staff, Assistant Principal, or Principal about a problem with harassment.
- His/her parent has called with a concern about harassment.
- He/she has requested a Harassment Contract against another student.
- A Harassment Contract has been requested against him/her.

What do OGDSD schools do about harassment issues?

Harassment is a big concern for everyone because students have to come to school and because all students have the right to come to school without worrying about being harassed. Middle school is the age at which harassment behaviors typically peak. That is to say, children harass others less in elementary school and in high school. Because harassment and teasing can be serious problems for students at this age, we do the following about harassment issues.

Conflict Resolution Meetings

Students who are having a two-way conflict with one another can request a conflict resolution meeting with a staff member, a counselor, the Assistant Principal, or the Principal. At the conclusion of the meeting, both parties agree to abide by certain terms to resolve the dispute.

Harassment Agreement

This is an informal agreement between two students in conflict after meeting the Assistant Principal or Principal and the student(s) and is for mild cases only. One or both of the students agree to change a specific behavior to avoid trouble.

Harassment Contract

If less formal measures do not end the teasing or harassment, or if the harassment is particularly serious, a student will often be put on a Harassment Contract. A Harassment Contract obliges the student to stay away from, not talk to, or have any contact with the student he or she has been having a conflict with. If a student on a Harassment Contract breaks the terms of the contract, he

or she will be suspended for one day on the first offense and 3-5 days on subsequent offenses

Harassment contracts usually last one semester. Harassment is against the law. Depending upon the incident, notification of the authorities is one of several additional consequences.

What other resources are available to help with harassment issues?

Harassment and bullying are getting more attention these days. There are several good web resources. Many groups in the United Kingdom have excellent advice for dealing with bullies. To find web resources, start at www.bullying.co.uk or go to KidScape at www.kidscape.org.uk. There are also several good books for kids and their families. Two good ones to start with are [How to Handle Bullies, Teasers, and Other Meanies: A Book that Takes the Nuisance Out of Name Calling](#) and [Other Nonsense](#) by Kate Cohen-Posey and [Bullies & Victims: Helping Your Child Survive the Schoolyard Battlefield](#) by Suellen & Paula Fried.

In addition, all students are encouraged not to be bystanders when harassment is going on around them. They are asked to:

- Do not encourage the harasser by laughing or going along with him or her.
- Deflect attention from the target: change the subject.
- Reach out to newcomers and kids with few friends.
- Tell an adult what is happening, even if the victim does not want help.
- Walk away and tell an adult, parent or guardian.

What are teasing, bullying, and harassment?

Teasing and harassment are aggressive (or mean) things that people do to others. When people tease or harass, they mean to hurt other people's feelings.

What are some ways that people tease or harass others?

- **Name Calling.** Calling people names, from "stupid" to some bad words, is harassment. Sometimes, if the words have to do with a person's gender or sexual orientation, the name-calling is a special, serious form of harassment called sexual harassment.
- **Threats.** Telling someone, you are going to do something to them or someone else is no better than actually doing it.
- **Spreading rumors.** Starting and spreading rumors is not acceptable and is very hurtful.
- **Purposely Leaving People Out.** Telling your friends to leave someone out or going along with a plan like that is not acceptable, and is very hurtful. It is a form of harassment.
- **Inappropriate Touching.** Pushing, bumping tripping, poking, etc. are quite little ways that some kids harass others. It is not acceptable to tease and or touch others in this way.
- **Other Physical Harassment.** Following someone around, not letting someone pass, getting too close to someone to make them feel uncomfortable are all forms of harassment.

Why are teasing, bullying, and harassment bad?

Teasing other people is wrong. Everyone gets teased sometimes. You don't like it when you are teased, do you? Some people play around with friends by teasing them. Harassment is different. It is when teasing makes others feel uncomfortable.

When people are teased a lot, it can really be hurtful to them. It can make them very sad or depressed. It can make them feel like they deserve to have people treating them badly. Sometimes when people are teased a lot, they start acting mean to "get back" at everyone else for teasing them. Sometimes kids who are teased even threaten or hurt other kids.

No one deserves to be teased. It does not matter if someone is "too fat, too skinny, too freckle-faced, too tall, too short, too whiny, too quiet, too loud, too different, too much a wanna-be etc." Everybody, especially in middle school, just wants to be accepted for who they are. Everybody wants friends and to hang out with people who like them and treat them well. Harassing others does not make people look good. It makes them look like the only way they can feel good is making other people feel bad. That is sad!

Harassment is against the Law. Depending upon the incident, notification of the authorities is one of several consequences.

What should you do when you see someone else being harassed, bullied, or teased?

- **Don't do anything to make the harasser think you think what he or she is doing is okay.** We all know kids who can be kind of mean at times. Many times, we laugh when that person is being mean. Why? We do not want to make them mad, or we just do not know what else to do. But when you laugh or "go along" with mean behavior, you are telling everyone else that it is okay with you. Don't do it! In fact, when you see someone being mean to you, the right thing is to tell them to stop. If you do this to help someone from being treated poorly, maybe someday when someone is poorly treating you, somebody else will speak up and defend you.
- **Try to distract the harassers. Change the subject.** If you can, use humor to calm the situation down.
- **Walk away. Tell an adult** (parent, guardian, school staff member).
- **If there is a big problem, tell an adult.** If someone is threatening to hurt someone, or if kids are actually fighting, get help.
- **If someone is being teased a lot but does not get help, tell an adult.** Our schools has many things to help kids when they get teased. Some kids are embarrassed to ask for help, or they think they can "handle it themselves". But sometimes kids need help. If they do not want to ask, help them by telling an adult. If you are embarrassed, too, ask your parent or a teacher for help.

TEASING, BULLYING, AND HARASSMENT CONTRACT

I, _____, Grade _____, School _____

Agree to immediately stop all unlawful harassment and other behaviors that violate school rules (including but not limited to name-calling, put-downs, teasing, bullying, cyberbullying, intimidation, either verbally or written, including the use of any computer, electronic device, or cell phone) against _____, Grade _____. I further agree to stay away from and not harass this same student. I understand that if I break this contract, I will be suspended for a minimum of one day on the first offense.

For any subsequent offenses, I understand that I will be suspended for 3-5 days and may be recommended for expulsion.

Serious violations, even if a first violation of the contract, can result in longer suspensions and expulsion.

I also understand that the school may call the police if the school believes a law was violated.

This contract shall remain in effect for approximately one semester until _____.

Even after this time period ends, I understand that the school rules still prohibit unlawful harassment, intimidation, cyberbullying, and bullying and I understand that I will be subject to suspension and expulsion if I engage in harassment, intimidation, cyberbullying, or bullying.

Student's Signature _____

Date _____

Parent/Guardian's Signature _____

Date _____

Administrator's Signature: _____

Healthy Schools Act (AB 2260) Practice Statement and Annual Parent Notification Letter

Practice

It is the practice of the Oak Grove School District to implement the **Healthy Schools Act (AB 2260: Ed. Code 17612, 48980 and 48980.3)** practice and procedure to control structural and landscape pests/weeds and minimize exposure of children, faculty, and staff to pesticides/herbicides.

Pests

It is the practice of this school district to control pests in the school environment. Pests such as cockroaches, fleas, fire ants, stinging wasps, termites and rodents are annoying and can disrupt the learning environment in schools. Pests are known to bite, sting, or transmit diseases, and may also cause allergic responses.

Pesticides/Herbicides

It is the practice of this school district to reduce exposure to pesticides and herbicides in the school environment. When pesticides or herbicides are used to control pests and weeds in schools, there is potential for human exposure. Excessive exposure may result in pesticide/herbicide poisoning or allergic responses in sensitive individuals.

Children may be more susceptible to pesticides than adults due to their smaller size and rapid growth and development.

AB 2260, the Healthy Schools Act of 2000

- Non-chemical prevention of pests and weeds populations is always preferred using such methods as sanitation, exclusion, and cultural practices.
- The selection and use of the least hazardous methods and materials effective for the control of targeted pests and weeds will be implemented.
- Precision targeting of pesticides and herbicides to areas not contacted by or accessible to the children, faculty and staff will be implemented.
- Application of pesticides/herbicides will only be used “as needed” to correct verified problems.
- All parents and staff will be notified annually in writing of the anticipated pesticide/herbicide products and applications to be regularly used throughout the school year. Parents may request in writing a separate written notice for each pesticide/herbicide application seventy-two hours prior to the anticipated application. See Appendix C for further details.
- Warning signs will be posted at all entrances to the School District property twenty- four hours prior to regular pesticide/herbicide applications and will remain posted for seventy-two hours after the application. (**Ed. Code 17612(d)**)
- Active ingredients of all pesticides/herbicides used by the School District is in the Appendix C. Active ingredients and/or copies of AB 2260 may be obtained by written request to the Chief Operations Officer at Oak Grove School District, 6578 Santa Teresa Boulevard, San Jose, CA 95119, or by contacting the California Department of Pesticide Regulation website, www.cdpr.ca.gov.
- In the event of an “emergency” application of a pesticide to control a specific and documented problem, signs will be posted immediately and remain posted for seventy-two hours following the application procedure.

Success

The success of the **Healthy Schools Act (AB 2260)** in schools is dependent upon:

- The full cooperation of administrators, faculty, maintenance/custodial staff, parents, students and the community.
- The establishment of a District-wide coordinator and advisory committee.
- School-based safety committees that shall include pest management and pesticide policies and procedures as part of their agenda.
- Each school designating a staff member to coordinate the Healthy Schools Act and ensuring the maintenance of pest management records.

The Oak Grove School District invites questions, concerns and suggestions from our parents, community, students and staff. All comments addressing the above noted practice should be addressed to Maintenance and Operations Dept. at (408) 227-8300, ext. 100345, Oak Grove School District, 6578 Santa Teresa Boulevard, San Jose, CA 95119.

COMMUNITY COLLEGE ADMISSION REQUIREMENTS

1. Student must meet **one** of the following requirements:
 - Earn a high school diploma.
 - Pass the California High School Proficiency Exam.
 - Pass the GED.
 - Be 18 years of age or older.
2. Students must take placement exams in Math and English.
3. Students who plan to transfer from a community college to a 4-year college/university are still encouraged to take the UC **a-g** sequence of classes during high school in order to be prepared for college-level coursework.

COLLEGE TESTING RECOMMENDATIONS

Shown below is a recommendation of when students should take/re-take required college entrance exams.

- **For UC/CSU - PSAT** in October of the 10th and 11th grade. The PSAT is excellent practice for the SAT Reasoning Test.
- **For UC - SAT Reasoning Test** or **ACT Assessment plus Writing** in the spring of 11th grade.
- **For UC - SAT Reasoning Test** or **ACT Assessment plus Writing** retest in the fall of 12th grade to improve your score.
- **For UC - 2 SAT Subject Tests** usually taken at the end of the year the subject area course is completed. (see reverse for UC SAT Subject examination update)
- **For CSU - SAT Reasoning Test** or **ACT Assessment** in the spring of 11th grade.
- **For CSU - SAT Reasoning Test** or **ACT Assessment** retest in the fall of 12th grade to improve your score.

Useful Web Sites:

- CSU = www.csumentor.edu
- UC = www.universityofcalifornia.edu
- Community College = <http://home.cccapply.org/>
- College Board = www.collegeboard.org
- California Colleges (college/career planning) = www.californiacolleges.edu
- ACT = www.actstudent.org
- AP = <https://apstudent.collegeboard.org>
- SAT = www.collegeboard.com/student/testing/sat/reg.html
- EAP/CSU = www.calstate.edu/eap
- East Side Union High School District = www.esuhsd.org
- Fast Web (Scholarship Site) = www.fastweb.com
- Federal Student Aid (FAFSA) = www.fafsa.ed.gov
- Fin Aid = www.finaid.org
- Dream Act = <https://dream.csac.ca.gov/>
- Scholarships.com = www.scholarships.com
- U.S. Dept. of Education = www.ed.gov/students



East Side Union High School District

Graduation and College Entrance Requirements

In order to earn a diploma from the East Side Union High School District, students must pass 220 credits in the areas shown below.

| <i>Subject</i> | <i>Requirement</i> | <i>Credits</i> |
|--|--|----------------|
| English | Students must pass: <ul style="list-style-type: none"> ▪ 4 years of English | 40 |
| Social Science | Students must pass: <ul style="list-style-type: none"> ▪ 1 year of World History ▪ 1 year of United States History ▪ 1 semester of Economics ▪ 1 semester of American Government | 30 |
| Mathematics | Students must pass: <ul style="list-style-type: none"> ▪ Algebra 1 or CCSS Math 1 ▪ Geometry or CCSS Math 2 (or higher level courses) | 20 |
| Science | Students must pass: <ul style="list-style-type: none"> ▪ 1 year of physical and 1 year of biological college prep lab science that satisfies the University of California a-g course sequence | 20 |
| Fine Arts or Foreign Language | Students must pass: <ul style="list-style-type: none"> ▪ <u>1-year course</u> in Fine Arts <i>or</i> Foreign Language | 10 |
| Physical Education | Students must pass: <ul style="list-style-type: none"> ▪ 2 years of Physical Education (1 year must be taken in grade 9) | 20 |
| Electives | Students must pass elective courses chosen in the following areas: Art, Business, Home Economics Careers and Technology, English, Foreign Language, Math, Music, Industrial Technology Education, P.E., Reading, Science, Social Science, Safety Education, and Work Experience/ SVCTE (CCOC)/ROP. | 80 |
| Total Credits Required for Graduation | | 220 |

UC Examination Requirement

- The ACT Assessment plus Writing or the SAT Reasoning Test.

UPDATE: While SAT Subject Tests are no longer required, some campuses recommend that freshmen applicants interested in competitive majors take the tests to demonstrate subject proficiency

<http://admission.universityofcalifornia.edu/freshman/requirements/examination-requirement/SAT-subject-tests/index.html>

Applicants may also submit Subject Test scores as a “value-added achievement” for consideration during the comprehensive review process, much in the way they do with Advanced Placement scores today, but Subject Exam scores will not be required.

UNIVERSITY OF CALIFORNIA ADMISSION REQUIREMENTS

UC Subject Requirement

Students must complete 15 (11 by the end of the 11th grade) units of high school courses to fulfill the UC Subject Requirement. This sequence of courses is known as the UC a-g requirement.

a. History/Social Science—2 years required

Two years of history/social science, including one year of world history, cultures and geography; and one year of U.S. history or one-half year of U.S. history and one-half year of civics or American government.

b. English—4 years required

Four years of college preparatory English that include frequent and regular writing, and reading of classic and modern literature. No more than one year of ESL-type courses can be used to meet this requirement (ELD 3).

c. Mathematics—3 years required; 4 years recommended

Three years of college preparatory mathematics that include the topics covered in elementary and advanced algebra and two- and three-dimensional geometry. Approved integrated math courses may be used to fulfill part or all of this requirement, as may math courses taken in the seventh and eighth grades that your high school accepts as equivalent to its own math courses.

d. Laboratory Science—2 years required; 3 years recommended

Two years of laboratory science providing fundamental knowledge in at least two of these three core disciplines: biology, chemistry, and physics. Advance laboratory science courses that have biology, chemistry or physics as prerequisites and offer substantial additional material may be used to fulfill this requirement.

e. Language other than English—2 years required; 3 years recommended

Two years of the same language other than English. Courses should emphasize speaking and understanding, and include instruction in grammar, vocabulary, reading, and composition. Courses in language other than English taken in the seventh and eighth grade may be used to fulfill part of this requirement if your high school accepts them as equivalent to its own courses.

f. Visual and Performing Arts (VPA)—1 year required

One year of visual and performing arts chosen from the following: dance, drama/theater, music and/or visual art.

g. College Preparatory Electives—1 year required.

One year (two semesters), in addition to those required in “a-f” courses above, chosen from the following areas: visual and performing arts (non-introductory level courses), history, social science, English, advanced mathematics, laboratory science, and language other than English (a third year in the language used for the “e” requirement or two years of another language).

CALIFORNIA STATE UNIVERSITY ADMISSION REQUIREMENTS

CSU Course Requirement

The California State University System (CSU) requires students to complete 15 units of college preparatory courses with a grade of 'C' or better (1 unit is equal to 1 year).

a. History/Social Science—2 years required

Two years of history/social science, including one year of US History or 1 semester of U.S. History and 1 semester of American Government; and 1 year of history/social science.

b. English—4 years required

no more than 1 year of advanced ESL/ELD courses can be used (ELD 3)

c. Mathematics—3 years required

Algebra 1, Geometry & Algebra 2 or CCSS Math 1, CCSS Math 2 & CCSS Math 3

d. Science—2 years required

1 year of physical science and 1 year of biological science must be completed.

e. Foreign Language— 2 years required

2 years of language other than English (must be the same language)

f. Visual and Performing Arts— 1 year required

1 yearlong course in visual and performing arts (selected from dance, music, theater/drama, or visual arts)

g. College Prep Electives— 1 year required

1 year elective chosen from approved "a-g" course list

Use <https://doorways.ucop.edu/list/> for your school’s A-G course list

CSU Examination Requirement (students may take either test):

- ACT Assessment (writing test not required)
- SAT Reasoning Test

Policy 6020: Parent Involvement

Original Adopted Date: 04/09/2020 | Last Reviewed Date: 04/09/2020

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

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

The District's local control and accountability plan shall include goals and strategies for parent/guardian involvement, including District efforts to seek parent/guardian input in District and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

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

Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing District expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the District will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

When the District's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the District's Title I funds will be allotted for parent/guardian and family engagement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law. (20 USC 6318, 6631)

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

Support for schools and nonprofit organizations in providing professional development for District and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members

Support for programs that reach parents/guardians and family members at home, in the community, and at school

Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members

Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement

Any other activities and strategies that the District determines are appropriate and consistent with this policy

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the District and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State | Description |
|--------------------------|--|
| 5 CCR 18275 | Child care and development programs, parent involvement and education |
| Ed. Code 11500-11505 | Programs to encourage parent involvement |
| Ed. Code 48985 | Notices to parents in language other than English |
| Ed. Code 51101 | Parents Rights Act of 2002 |
| Ed. Code 52060-52077 | Local control and accountability plan |
| Ed. Code 54444.1-54444.2 | Parent advisory councils, services to migrant children |
| Ed. Code 56190-56194 | Community advisory committee, special education |
| Ed. Code 64001 | School plan for student achievement; consolidated application programs |
| Lab. Code 230.8 | Time off to visit child's school |

| Federal | Description |
|----------------|---|
| 20 USC 6311 | State plan |
| 20 USC 6312 | Local educational agency plan |
| 20 USC 6314 | Schoolwide programs |
| 20 USC 6318 | Parent and family engagement |
| 20 USC 6631 | Teacher and school leader incentive program, purposes and definitions |
| 28 CFR 35.104 | Definitions, auxiliary aids and services |
| 28 CFR 35.160 | Effective communications for individuals with disabilities |

| Management Resources | Description |
|---|---|
| California Department of Education Publication California School Districts, 2014 | Family Engagement Framework: A Tool for |
| California Department of Education Publication | Title I School-Level Parental Involvement Policy |
| U.S. Department of Education Publication Guidance, April 23, 2004 | Parental Involvement: Title I, Part A, Non-Regulatory |
| Website Community Partnerships | California Department of Education, Family, School, |

| | |
|-----------|--|
| Website | California Parent Center |
| Website | California State Parent Teacher Association |
| Website | CSBA |
| Website | National Coalition for Parent Involvement in |
| Education | |
| Website | National PTA |
| Website | Parent Information and Resource Centers |
| Website | Parents as Teachers National Center |
| Website | U.S. Department of Education |

Cross References

| Code | Description |
|-----------------|---|
| 0000 | Vision |
| 0100 | Philosophy |
| 0400 | Comprehensive Plans |
| 0410 | Nondiscrimination In District Programs And Activities |
| 0420 | School Plans/Site Councils |
| 0430 | Comprehensive Local Plan For Special Education |
| 0450 | Comprehensive Safety Plan |
| 0460 | Local Control And Accountability Plan |
| 0500 | Accountability |
| 1000 | Concepts And Roles |
| 1100 | Communication With The Public |
| 1113 | District And School Web Sites |
| 1114 | District-Sponsored Social Media |
| 1220 | Citizen Advisory Committees |
| 1240 | Volunteer Assistance |
| 1250 | Visitors/Outsiders |
| 1260 | Educational Foundation |
| 1400 | Relations Between Other Governmental Agencies And The Schools |
| 1700 | Relations Between Private Industry And The Schools |
| 2230 | Representative And Deliberative Groups |
| 3100 | Budget |
| 3280 | Sale Or Lease Of District-Owned Real Property |
| 4115 | Evaluation/Supervision |
| 4131 | Staff Development |
| 4215 | Evaluation/Supervision |
| 5020 | Parent Rights And Responsibilities |
| 5030 | Student Wellness |
| 5113 | Absences And Excuses |
| 5113.1 | Chronic Absence And Truancy |
| 5121 | Grades/Evaluation Of Student Achievement |
| 5123 | Promotion/Acceleration/Retention |
| 5141.22 | Infectious Diseases |
| 5142.2 | Safe Routes To School Program |
| 5145.6 | Parental Notifications |
| 5145.6-E PDF(1) | Parental Notifications |
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Mental Health/Suicide Prevention

Protecting the health and well-being of all students is the utmost importance to the school district. The school board has adopted a suicide prevention policy, which will be implemented at the seventh and eighth grade levels.

-Seventh and Eighth grade students will learn coping skills to manage stress and ways to seek help for themselves and peers.

-Counseling staff or school psychologists will serve as point of contact for all students in crisis and will refer students to the appropriate resources.

-When a student is identified as being at-risk, a risk assessment will be conducted by trained support staff who will work with the student and/or family to connect them to the appropriate resources.

-All students have access to national resources they can contact for additional support such as:

-National Suicide Prevention Lifeline – 1.800.273.8255 (TALK) www.suicidepreventionlifeline.org

-Trevor Lifeline – 1.866.488.7386 www.thetrevorproject.org

-All students will be expected to help create a school culture of respect and support in which students feel comfortable seeking help for themselves or friends. Students are encouraged to tell any staff member if they, or a friend, are feeling suicidal or in need of help.

-All intermediate school student identification cards for the 2022-2023 school year will have printed on either side of the student ID cards the telephone number in paragraph (1) and may have printed on either side of the card the telephone numbers in paragraphs (2) and (3):

(1) The telephone number for the National Suicide Prevention Lifeline, 1-800-273-8255.

(2) The Crisis Text Line, which can be accessed by texting HOME to 741741.

(3) A local suicide prevention hotline telephone number. (Ed. Code § 215.5)

-For a more detailed review of policy, please see the School District's full suicide prevention policy (BP and AR 5141.52) at www.Ogsd.net.

Specifically at:

1) <https://1.cdn.edl.io/Zij0DWDUe4txlWQrPiHcivlIAVNKePJtFFXMDjIRgGVUsxN.pdf>

2) <https://1.cdn.edl.io/1m91JL03gso1wfljphcTa47F40eaNxZzYnkEWtpcxuq6MEfo.pdf>

IMMIGRATION STATUS

Your Child has the Right to a Free Public Education

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians
- In California
 - All children have the right to a free public education.
 - All children ages 6 to 18 years must be enrolled in school.
 - All students and staff have the right to attend safe, secure, and peaceful schools.
 - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - All students have equal opportunity to participate in any programs or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion or immigration status, among other characteristics.

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the students' parents or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidential of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory information policy, and let you know of your option to refuse to release of your child's information in the directory.

Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may be enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied based on their actual or perceived nationality, ethnicity, or immigration status.

<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>

Oak Grove School District Meal Charge Administrative Policy

The Oak Grove School District recognizes that healthy, nutritious meals are an important component to student readiness and ability to learn. Oak Grove School District shall provide nutritious and well-balanced meals in its school meal program. By statute, the School District's Child Nutrition Services Department is a self-supporting fund that shall not have a negative balance at the close of a fiscal year.

I. PURPOSE/POLICY:

It is the responsibility of parents/guardians to insure their child has sufficient funds on their account to cover all school meals and to keep their child's account current.

The purpose of this policy is to establish consistent meal account procedures throughout the School District.

Unpaid charges place a financial strain on the School District and reduce resources available for instructional programs. The goals of this policy are:

- All students are treated with dignity in the serving line.
- All students will receive the same meal regardless of account balance status.
- A consistent process is established regarding charges and collection of charges.
- Student account information are treated with confidentiality by all District staff.

II. SCOPE OF RESPONSIBILITY:

Child Nutrition Services Department: Responsible for maintaining charge records and notifying the parents/guardians with written documentation of outstanding balances. At the beginning of each school year, all enrolled families receive a free/reduced application. During the final week of September, any student without an application on file will be provided another paper copy of, and/or an electronic link, to an application. Families have access to an application at all times throughout the year and efforts will continue throughout the school year to obtain applications from students who exhibit financial hardships.

School Principals: Responsible for working with Child Nutrition Services Department to obtain free/reduced applications for students exhibiting financial hardships.

Business Office: Responsible for supporting Child Nutrition Services Department in collection of debt and reconciliation of accounts.

Parent/Guardian: Responsible for payment on account.

III. ADMINISTRATION:

Students and their parents/guardians shall be notified whenever their account has a low or negative balance.

Whenever a student's account has an unpaid balance of \$50 or more, parents/guardians shall be notified in writing that full payment is due upon receipt of notice. Students with negative balances will be contacted by the Child Nutrition Services Department. This will be done via an automated phone message and then in a written letter, or electronic mail if provided by family.

Graduating eighth graders must pay all charges in full prior to May.

No adults can charge any meals or beverages. All items must be paid in full at time of purchase.

No charges are allowed for student a la carte items such as milk, juice, water. All items must be paid in full at time of purchase.

In cases of repeated nonpayment by a student, the School District may contact parents/guardians to discuss the reasons for the nonpayment. The School District may evaluate individual circumstances to determine if the student's parents/guardians need assistance completing an application for free or reduced-price meals or need referral to social services.

The School District may enter into a repayment plan with a student's parents/guardians for payment of the student's unpaid meal charge balance over a period of time.

The School District's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The School District shall not spend more than the actual debt owed in efforts to recover unpaid meal charges. The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

IV. METHOD OF PAYMENT:

The Oak Grove School District will accept pre-payment of school meals in the form of cash or check or via the school meal online center. Cash for a daily meal will also be accepted at the register.

Parents/guardians are strongly encouraged to register for a meal account on the school district meal online payment center, EZSCHOOLPAY.com which gives access to:

- View student transaction history
- Request e-mail alerts to low balances
- Make payments and pre-payments to a student's account
- Schedule payments to add funds to a student's account
- Set up automatic deposits to a student's account

There will be a minimal fee for using the online payment center.

"This institution is an equal opportunity provider."

Firearms Safety Memorandum

To: Parents and Guardians of Students in the **Oak Grove School District**

From: Superintendent José L. Manzo

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 **Oak Grove 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, 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,



José L. Manzo
California Department of Education

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

² See California Penal Code section 25100(c).

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.