



**Gilroy Unified School District**  
**2022-2023 Information Handbook**  
*For Parents, Guardians, Students, and Advisory Committees*

**Mission Statement:**

The Gilroy Unified School District will provide opportunities for all students to reach their highest academic and intellectual competencies and personal attributes to be life-long learners responsible citizens, and productive members of society. This will be accomplished by having a clear focus on student needs; staff, parents and community members demonstrating high expectations for themselves and for every child served; and by continually improving the quality of teaching and learning.

## **A message from Dr. Deborah A. Flores. Gilroy Unified School District**

Welcome to the 2022-2023 school year. It is a pleasure and a privilege to be part of the Gilroy Unified School District team for my sixteenth year as Superintendent. Our 1,100 employees are deeply committed to increasing the rigor and quality of our educational programs so that students can achieve at the highest possible levels academically. Thanks to their collective efforts, our students learn in school environments that are safe, well-maintained, and that provide for the development of the whole child through a wide range of programs and activities.

State and local test results continue to indicate that we are moving in the right direction as a District. In 2014, our students began using a testing tool called the California Assessment of Student Performance (CAASPP). In the eight years since the implementation of the CAASPP program, GUSD students have outperformed their statewide peers in mathematics while being nearly equal to them in English Language Arts. The District administered the CAASPP assessments in the spring of 2022 after two years of not administering these assessments due to the pandemic and distance learning challenges. The results will be released in the Fall 2022. The GUSD graduation rate for the 2020-21 cohort was 81%, as compared to the statewide rate of 87.7% and the rate in Santa Clara County of 89%, a decrease from previous years. The GUSD dropout rate for the 2020-21 cohort was 9.6%, in comparison to the statewide rate of 6.4%, and 5.3% in Santa Clara County. Unfortunately, the pandemic had a big impact on our students and families.

The many successes at GUSD are the result of district initiatives targeted towards achieving the goals defined by the Board of Education and the district's Local Control Accountability Plan (LCAP). One of the main goals of GUSD is to provide high quality instruction and 21st century learning opportunities to ensure college and career readiness for all students. Staff development days focus on teaching new practices and strategies to teachers to support the different needs of students and ensure that students have the skills necessary to be competitive in the workforce. This year, like the last two years, an additional focus of professional development will be on social and emotional learning of students, as well as helping students remain connected to their school communities. At all three levels (elementary, middle and high), Academic Coaches and Instructional Specialists have supported teachers through modeling, coaching and curriculum development at each of our school sites.

The District continues to update instructional materials in all core content areas. We are fortunate to have strong teacher involvement on the curriculum adoption teams. In the 2022-23 school year, we will continue to focus on increasing student achievement through offering high-quality academic programs that provide students and parents with a range of educational options. In 2019, we opened the Envision Academy, located on the campus of Gilroy High School, to offer an innovative academic environment that is much different than a traditional high school classroom. The combination of online courses and teacher-directed courses allows students more flexibility and control over the way in which they learn the subject matter. We also continue to offer the GUSD Virtual Learning Academy, an online learning option, which is a student/ caregiver-led program, where teachers act as advisors for learning.

The District offers exemplary and specialized programs such as the Sobrato Early Academic Language (SEAL) program which is offered at five elementary schools. Other signature District programs include the Dual Immersion program, GATE program, Biomedical Science Academy, Computer Science Academy, Future Farmers of America, and the Dr. TJ Owens Gilroy Early College Academy (GECA).

Schools in the Gilroy Unified School District have also been the recipients of a number of prestigious honors and awards over the last several years:

- In 2022, the Gilroy Unified School District was named a California Pivotal Practices District by the California Department of Education, and GECA was named a California Pivotal Practices School.
- In 2021, the Dr. TJ Owens Gilroy Early College Academy was named a National Blue Ribbon School by the US Department of Education. The National Blue Ribbon Schools Program recognizes public and private elementary, middle, and high schools based on their overall academic excellence or their progress in closing achievement gaps among student subgroups.
- Seven district schools have been recognized as California Distinguished Schools: GECA (2013 and 2019), Las Animas Elementary (2008), Rod Kelley Elementary (2018), Solorsano Middle (2007 and 2013), Glen View Elementary (1997) and Gilroy High School (1994 and 2009).
- Solorsano Middle School received the California Department of Education Gold Ribbon Award for their Restorative Justice Program as well as the federal Title I Academic Achieving School Award in 2017.
- Four other GUSD schools received the California Gold Ribbon Award: Las Animas Elementary in 2016, and GECA, Christopher High, and Brownell Middle in 2016.
- GECA, Gilroy High, Christopher High, Las Animas Elementary and Rod Kelley Elementary were all recognized as California Honor Roll schools in 2020.

- Rod Kelley Elementary also received the School of Excellence Award from the California Association for Bilingual Education (CABE) for its Dual Immersion Program (2017) and was named one of the top schools for underserved students by Innovate Public Schools in 2017, 2018 and 2019.
- Las Animas Elementary also received the CABE award for its Dual Immersion program in 2016.
- Gilroy High School’s Biomedical Science Academy was the recipient of the Santa Clara County School Boards’ Association Glenn W. Hoffman Exemplary Program Award in 2017; and,
- The District’s Dual Immersion Program located at Las Animas Elementary, Rod Kelley Elementary, South Valley Middle and Gilroy High all received the California School Board Association’s prestigious Golden Bell Award.

The District’s enrollment is currently 10,600 students, housed at 14 schools throughout the District. In addition, the District provides early childhood education opportunities to students at three preschool campuses, and offers an Adult Education program so that learners of all ages can meet their educational goals.

Thanks to the support of voters, Measure E funds allowed the District to renovate Brownell Middle School, which opened in August 2021. Students are now attending school in a brand new state-of-the-art campus. Demolition of the South Valley Middle School campus commenced in summer 2021, and the projected completion date is late 2023. Measure E funds have provided Information Technology (IT) improvements throughout the District in order to provide upgrades and improved services to students and staff; new science labs at Christopher High, Gilroy High and GECA; and many other capital improvements completed throughout the District. The District has also replaced the aging portables in the math wing at Gilroy High School with a new two-story, 20-classroom math building, which opened in the 2018-19 school year, the installation of solar panels in the parking lots at Gilroy High and Christopher High, and a new pool at Gilroy High School.

I look forward to meeting you as I visit school sites and attend events throughout the upcoming school year. I wish you a successful and productive school year!

Sincerely,

Dr. Deborah A. Flores

**Board of Education/Term**

Enrique Diaz	2019-2022
James E. Pace	2020-2024
Linda Piceno	2019-2022
Mark W. Good	2020-2024
Melissa Aguirre	2020-2024
Michelle Nelson	2019-2022
Tuyen Fiack	2019-2022

**District Administration**

Dr. Deborah A. Flores	Superintendent
Alvaro Meza	Assistant Superintendent, Business Services/CBO
Paul Winslow	Assistant Superintendent Human Resources
Tracy Yip	Supervisor, Human Resources
Kathleen Biermann	Director, Curriculum and Instruction (Preschool through 5th Grade)
Deborah Padilla	Director, Curriculum and Instruction (6th -12th Grades and Alternative Education Programs)
Amanda Reedy	Administrator, After School Programs
Kermit Schrock	Program Administrator Student Assessment and Data Management
Lisa Lorona	Administrator Specialized Programs STEAM Coordinator, Educational Services
Kanani Pratt	Coordinator, Educational Services
Greg Camacho-Light	Administrator Alternative Educational Program
Anna Pulido	Director, Student Services
Kimberly Smith	Director of Fiscal Services
Paul Nadeau	Director of Facilities Planning and Management
Beatrice Magdaleno	Administrator, Early Childhood Programs, PAR, CAL-SAFE
Maribel Guizar-Maita	Director, Information Technology
Adelina Cervero	Program Administrator Intervention and Enrichment
Jose DeLeon	IT Supervisor

# Table of Contents

Board of Education/Term .....	3
District Office Departments.....	8
Gilroy Unified School District Schools.....	9
Elementary Schools .....	9
Middle Schools .....	9
High Schools .....	9
Alternative & Continuation .....	9
District Office.....	9
2022-23 Instructional Calendar .....	10
Parents and Guardian Rights and Responsibilities .....	13
English Learner (EL) Parents’ Rights .....	15
Parent and Guardian Information and Notice .....	15
Alcohol, Tobacco and Other Drug Use Prevention Education (§51260 Summary).....	15
Alternative School Programs .....	15
Attendance, Enrollment and Transfers.....	16
Adult Education .....	21
Attendance-Athletic Eligibility .....	22
After School Programs and Activities .....	22
After School Hourly Interventions: .....	22
Child Abuse.....	23
Civil Rights Complaints .....	23
Counseling Services .....	23
Child Care .....	23
Employment-Based School Attendance Options.....	23
English Learner Programs .....	23
Exceptional Children.....	23
Health .....	23
Health/Immunizations required for school attendance are as follows .....	24
Home and Hospital Program .....	24
Instructional Use of Animals.....	25
Insurance/Student Injuries .....	25
Intervention Programs.....	25
Moves – Family Residential .....	25
Parental Financial Liability .....	25

Police Officers Interviewing Students While on Campus.....	26
Records and Access to Student Information .....	26
Release of Information and Student Images for Media Purposes.....	28
Students’ Rights and Responsibilities .....	29
Student Achievement .....	30
After School Programs.....	30
Assessments .....	31
Advanced Placement .....	31
Career Technical Education .....	31
Career Technical Education (CTE) Pathways .....	31
CTE Individual Pathways.....	32
Certificate of Completion .....	32
Community Service.....	32
Counseling .....	32
Curriculum .....	33
Early Assessment Program (EAP).....	33
English Learner Programs .....	33
Graduation and Promotion Grades 9-12 .....	34
Gifted and Talented Education (GATE).....	35
Graduation and A-G.....	35
Independent Study .....	36
Intervention Programs.....	36
Migrant Education Program .....	36
Plan for College.....	36
Promotion/Retention .....	37
Promotion/Retention Middle School (6-8).....	38
Promotion/Retention High School (9-12).....	38
Individuals with Disabilities .....	38
Special Education Considerations.....	39
Pupils with Temporary Disabilities .....	39
Safe Schools and Discipline .....	41
Child Abuse.....	41
Child Abuse Procedure .....	41
Discipline and Expected Student Behavior .....	41
Gang Affiliation and Activity (Summary SRCS AR5114.16) .....	41
Hate-Motivated Behavior .....	42
GUSD Board Policy AR 5131 .....	47

No Smoking.....	49
Personal Property Loss .....	49
Respect and Civility in Schools.....	49
Sexual Harassment/Students .....	49
Sexual Harassment All Other .....	50
Suspensions/ Expulsions.....	51
Suspension/Expulsion of Special Education Students .....	54
Zero Tolerance Policy .....	54
Public Notice of Non-Discrimination Compliance by GUSD.....	55
Additional Information for Parents, Guardians, and Students .....	60
Electronic Network Access - Student.....	60
Health/Communicable Disease Control and Immunization of Pupils.....	60
Health/Confidential Medical Services .....	60
Medical & Hospital Services .....	60
Health/Vision/Hearing Screening .....	62
Health/Scoliosis Screening .....	63
Independent Study Program (9-12).....	64
Instruction in Comprehensive Sexual Health Education/HIV and Aids Prevention .....	64
Health and Hazardous Materials .....	64
Homeless Student Education Assurances.....	66
Local Education Agency Plan (LEAP) .....	67
Megan’s Law .....	67
Military Recruiters .....	67
Professional Qualifications of Teachers and Paraprofessionals .....	67
Sex Education .....	67
Single Plan for Student Achievement (SPSA).....	68
School Accountability Report Cards (SARC).....	68
School Lunches .....	68
School Dress Codes.....	69
Title I Program/Improvement.....	69
Transportation.....	69
Video Security Camera .....	70
Employee Code of Conduct .....	71

## District Office Departments

<b>Superintendent's Office</b>	Dr. Deborah A. Flores	Superintendent	(669) 205-4099
	Lucy Huerta	Administrative Assistant	(669) 205-4091
<b>Business Services</b>	Alvaro Meza	Assistant Superintendent/CBO	(669) 205-4080
	Kimberly Smith	Director of Fiscal Services	(669) 205-4082
	Natalie Martinez	Administrative Secretary	(669) 205-4081
	Maribel Guizar-Maita	Director, Technology	(669) 205-4050
	Jose De Leon	Supervisor, Technology	(669) 205-4051
<b>Curriculum &amp; Instruction</b>	Kathleen Biermann	Director, Elementary	(669) 205-4025
	Isabela Telles	Senior Staff Secretary	(669) 205-4026
	Deborah Padilla	Director, Secondary	(669) 205-4027
	Monica Z. Nicasio	Senior Staff Secretary	(669) 205-4029
<b>Student Assessment And Data Management</b>	Kermit Schrock	Program Administrator	(669) 205-4031
	Dorien Koene	Assessment Specialist	(669) 205-4032
<b>After School Programs</b>	Amanda Reedy	Administrator	(669) 205-4047
	Julia Medina	Senior Staff Secretary	(669) 205-4048
	Lovedeep Griswold-Sahota	After School Programs, Coordinator	(669)437-0176
<b>Early Childhood Programs</b>	Beatrice Magdaleno	Administrator	(408) 847-7835
<b>Specialized Programs</b>	Lisa Lorona	Administrator	(669) 205-4041
	Marisa Covarrubias	Secretary Assistant	(669) 205-4043
<b>Human Resources</b>	Paul Winslow	Assistant Superintendent/CBO	(669) 205-4010
	Lee Anne Vallejos	Supervisor, Classified	(669) 205-4011
	Tracy Yip	Administrative Secretary	(669) 205-4012
	Frances Gonzales	Substitute Employee/Auto Calling Center	(669) 205-4096
	Adelina Cervero	School Climate	(669) 205-4096
<b>Student Services</b>	Anna Pulido	Director, Student Services	(669) 205-4035
	Marcy Huerta	Senior Staff Secretary	(669) 205-4020
	Cindy Spangler	Health Services Secretary	(669) 205-4023
<b>Maintenance &amp; Facilities Operations</b>		Manager	(408) 842-8297
	Paul Nadeau	Director	(408) 839-9475
	Nalani Battaglia	Sodexo Consultant	(669) 205-5402
<b>Nutrition Services</b>			
<b>Transportation</b>	Patrishia Tice	Transportation Supervisor	(669) 205-7900

The district will notify any affected person per Board Policy 3580 in the event of a breach of security of district records.



## **Gilroy Unified School District Schools**

### **Elementary Schools**

---

<b>Eliot</b>	475 Old Gilroy Street	<b>(669) 205-4300</b>
<b>El Roble</b>	930 Third Street	<b>(669) 205-4200</b>
<b>Glen View</b>	600 Eighth Street	<b>(669) 205-4400</b>
<b>Las Animas</b>	6550 Cimino Street	<b>(669) 205-4500</b>
<b>Luigi Aprea</b>	9225 Calle del Rey	<b>(669) 205-4600</b>
<b>Rod Kelley</b>	8755 Kern Avenue	<b>(669) 205-4700</b>
<b>Rucker</b>	325 Santa Clara Avenue	<b>(669) 205-4810</b>

### **Middle Schools**

---

<b>Ascencion Solorsano</b>	7121 Grenache Way	<b>(669) 205-5000</b>
<b>Brownell</b>	7800 Carmel Street	<b>(669) 205-5100</b>
<b>South Valley</b>	385 I.O.O.F Avenue	<b>(669) 205-5200</b>

### **High Schools**

---

<b>Christopher High</b>	850 Day Road	<b>(669) 205-5300</b>
<b>Gilroy High</b>	750 West Tenth Street	<b>(669) 205-5400</b>
<b>Dr. TJ Owens (GECA)</b>	5055 Santa Teresa Blvd	<b>(408) 846-4909</b>

### **Alternative & Continuation**

---

<b>Envision Academy</b>	750 West Tenth Street	<b>(669) 205-5400</b>
<b>Mt. Madonna</b>	8750 Hirasaki Court	<b>(669) 205-5500</b>
<b>Adult Education</b>	7881 Murray Avenue	<b>(669) 205-5291</b>

### **District Office**

---

<b>Early Childhood Programs</b>	Multiple Locations	<b>(669) 205-7960</b>
<b>General Information</b>	7810 Arroyo Circle	<b>(669) 205-4000</b>
<b>Website</b>		<b><a href="http://www.gilroyunified.org">www.gilroyunified.org</a></b>

# 2022-23 Instructional Calendar

## Gilroy Unified School District 2022-2023 Instructional Calendar

**Wednesday - August 17, 2022** - First Day of Student Instruction

*Note:* TK - 5th Grades, Wednesdays are Minimum Days for Students

*(Student Instructional School Days are highlighted in "blue")*

**September 5, 2022** - No School, Labor Day Holiday

**October 14, 2022** - End of 1st Quarter, Middle and High School Programs

**October 14, 2022** - No School for all students (Staff Development Day)

**October 25, 26, 27, 2022** - Parent Teacher Conferences for 6th - 8th Grades  
(Minimum Days)

**October 28, 2022** - End of 1st Trimester, TK - 5th Grade Programs

**November 11, 2022** - No School, Veteran's Day Holiday Observance

**November 10, 14, 15, 17, 18, 2022** - Parent

Teacher Conferences for TK - 5th Grade Programs (Minimum Days)

**November 21 - 25, 2022** - No School, Thanksgiving Break

**December 14, 15, 16, 2022** - High School Programs, Minimum Days for Final Exams

**December 16, 2022** - End of 2nd Quarter (Semester), Middle & High School Programs

**December 19, 2022** - January 2, 2023 - No School, Winter Break

**January 3, 2023** - Teacher Records Day for Middle and High School Programs, No

School for 6th - 12th Grade Programs; TK - 5th Grades in Session

**January 16, 2023** - No School, Martin Luther King Day Observance

**January 20, 2023** - No School for all students (Staff Development Day)

**February 10, 2023** - End of 2nd Trimester, TK - 5th Grade Students

**February 20 - 24, 2023** - No School, February Break

**March 17, 2023** - End of 3rd Quarter, Middle & High School Programs

**April 3 - 7, 2023** - No School, Spring Break

**May 26, 2023** - Minimum Day for all Students

**May 29, 2023** - No School, Memorial Day Observance

**May 30, 2023** - Teacher Records Day for Elementary School Programs, No School  
for TK - 5th Grade Program; 6th - 12th Grade Programs in Session

**June 7, 8, 9, 2023** - High School Programs, Minimum Days for Final Exams

**June 9, 2023** - End of 4th Quarter (Semester), Middle and High School Program

End of Trimester for TK - 5th Grades Programs

**June 9, 2023** - Last Day of Student Instruction (Minimum Day)

Adopted by the GUSD Board of Education: 1/28/2021

July 2022

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2022

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2022

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2022

Su	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2023

Su	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023

Su	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2023

Su	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023

Su	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023

Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Dr. TJ Owens Gilroy Early College Academy (GECA) 2022-2023 School Calendar

July 2022						
Su	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

August 2022						
Su	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
Su	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
Su	M	T	W	Th	F	Sa
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

November 2022						
Su	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
Su	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2023						
Su	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
Su	M	T	W	Th	F	Sa
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
Su	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023						
Su	M	T	W	Th	F	Sa
					1	
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

May 2023						
Su	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023						
Su	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

SCHOOL IS OUT OF SESSION  
 INTERSESSION SCHEDULE DAYS (NO COLLEGE CLASSES)

REVISED CALENDAR 11/18/2021

AUGUST 2022	1-2	Staff Development Days (No School for Students)
	3	Teacher Work Day (No School for Students)
	4	First Day of School - ALL Students
	4-19	August Intercession
	22	First day of instruction at Gavilan - Regular Session Begins
SEPTEMBER 2022	5	Holiday - Labor Day (School Closed)
	16	End of 1st Progress Report/1st Semester
OCTOBER 2022	28	End of 2nd Progress Report/1st Semester
NOVEMBER 2022	11	Holiday - Veteran's Day (School Closed)
	24-25	Holiday - Thanksgiving (School Closed)
DECEMBER 2022	5-9	GECA/Gavilan College Final Exam Week
	9	End of 1st Semester (Early Release)
	12-31	Winter Recess (School Closed)
JANUARY 2023	1-3	Winter Recess (School Closed)
	4	Teacher Records Day (No School for Students)
	5-6	Staff Development Day (No School for Students)
	9	First day of Second Semester - Intercession
	9-27	January Winter Intercession
	16	Holiday - Martin Luther King Day - (School Closed)
	30	First day of instruction at Gavilan - Regular Session Begins
FEBRUARY 2023	17-20	Holiday - Presidents' Day (School Closed)
	16	End of 1st Progress Report/2nd Semester
MARCH 2023	31	End of 2nd Progress Report/2nd Semester
APRIL 2023	3-7	Spring Recess (School Closed)
	14	Career Day (Early Release)
	17-28	CAASPP Testing Window
	21, 28	Senior Project Presentations (Early Release)
MAY 2023	1-12	CollegeBoard AP Exam Testing Window
	22-26	GECA/Gavilan College Final Exam Week
	25	GECA Graduation Day
	26	Last Day of School/End 2nd Semester/Gavilan Graduation Day (Early Release)
	29	Holiday - Memorial Day (School Closed)

180 Total Days of Instruction  
 186 Teacher Contract Days

## **Parents and Guardian Rights and Responsibilities**

Gilroy Unified School District recognizes the important role parents and guardians play in the life of a child. The District goal is to work with parents and guardians to provide the best learning opportunities for students. The California Education Code (Section 48980) requires school districts to notify parents and guardians, yearly, of their rights and responsibilities.

**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 Chapter 864, Statutes of 1998, and Education Code Section 51101 as follows:

### **Checkout/Release Procedures:**

A student will not be released to an adult that is not listed on the student's emergency contact card. Individuals authorized to pick up (listed on the card) must show a valid photo I.D. and be at least 18 years of age.

### **Student Release from Field Trips:**

If a parent requests to take their child home from a field trip, the parent(s) are required to notify the school office of this request prior to the field trip. When the field trip is over, the parent must sign-out the student with the supervising teacher of the field trip. The parent is authorized to only take their child home; they are not permitted to take any other student home. Teachers are not authorized to release students if the request has not been submitted prior to the field trip.

**Classroom Observing:** Parents and guardians have the right to visit their child's classroom to observe activities. The time and date of the visitation must be arranged in advance with the school.

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

**Volunteering:** Parents and guardians have the right to volunteer their time and resources for the improvement of school facilities and programs. Parents and guardians should contact the school to determine the terms and conditions of this service.

**Student Attendance:** Parents and guardians have the right to be notified in a timely manner if their child is absent from school without permission.

**Student Testing:** Parents and guardians have the right to be notified of their child's performance on standardized and statewide tests and the school's ranking on these tests.

**School Selection:** Parents and guardians have the right "to request" that their child be enrolled in any school in the district. The district is not compelled to grant the request. Please see district intra-district transfer policy.

**Safe School Environment:** Parents and guardians have the right and are entitled to the assurance of a safe and supportive learning environment for their child. (More information is in the Safe Schools section.)

**Curriculum Materials:** Parents and guardians have the right to examine the curriculum materials of the class or classes in which their child is enrolled.

**Student Academic Progress:** Parents and guardians 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 and guardians have the right to access their child's records and to ask questions about the contents. Parents and guardians have the right to a timely response from the school district about their questions.

**Standards:** Parents and guardians have the right to receive information regarding the academic standards their child is expected to

meet.

**School Rules:** Parents and guardians have the right to receive written notification of school rules, attendance policies, dress codes and procedures for school visitations.

**Psychological Testing:** Parents and guardians have the right to receive information on all psychological testing recommended for their child.

**Transitional Kindergarten:** Pursuant to law, (EC 48000[c]), a child is eligible for Transitional Kindergarten (TK) if a child will have his or her fifth birthday between September 2 and February 2. Additional TK and Kindergarten information can be found on the CDE Kindergarten in California web page at: <http://www.cde.ca.gov/ci/gs/em/kinderinfo.asp>, the CDE Kindergarten Frequently Asked Questions – Elementary Web page at <http://www.cde.ca.gov/ci/gs/em/kindergartenfaq.asp>, and the CDE Transitional Kindergarten FAQs Web page at <http://www.cde.ca.gov/ci/gs/em/kinderfaq.asp>.

**CALPADS Participation – Electronic Transfer of Student Information:** Gilroy Unified School District participates with the California School Information Services (CALPADS) Program in the electronic transfer of student information for state reporting to the California Department of Education (CDE). The CDE requires that we report summary data for all of our schools and programs. Schools and districts will benefit from the streamlining and reduction of the state reporting burden. Parents and guardians are assured that student information is encoded so that no personally identifiable information is maintained by CALPADS.

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

**Parent Involvement:** 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, social development, and well-being of their students. The Gilroy Unified School District Board Policy is 6020.

This policy shall include, but is not limited to:

1. How parents and 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.
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 television viewing.
  - Planning and participating in activities at home supportive of classroom activities
  - Volunteering at school.
  - Participating in decision-making processes at school.

Education Code Section 51101(d) states: “this section may not be construed so as to authorize a school to inform a parent or guardian, or to permit participating by a parent or guardian in the education of a child, if it conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.”

**College Preparatory Requirements:** In addition to the rights described in Education Code Sections 51100-51102, students and parents and guardians have the right to be informed of college entrance requirements. It is critically important to know how to assist those students who choose to pursue a college education.

Students, parents and guardians need to know the series of college preparatory classes to take in high school. The minimum requirements vary, depending on the selected college or university.

The A - G requirements noted below are submitted by the Regents of California and are aligned with the district’s college-going pathways and core academic requirements:

- a. Two years of history-social science, which are to include one year of world history, culture and geography, and one year of US history or one half year of US history and one half year of civics or American government.
- b. An English class every semester of every year for four years (see specific English Language Development or Reading Intervention requirements).
- c. A mathematics class every year for three years, including Algebra and Geometry (elementary and advanced) or Math I, II, and III.
- d. 30 credits in science, including biological and physical sciences (Education Code 51225.3) \*Which must include one year of “Life

- Science” and one year of “Physical Science” with labs).
- e. Two years of the same language other than English (three years recommended).
  - f. One year-long course from a single discipline in the visual arts or performing arts.
  - g. One year of a college preparatory elective in addition to those required in “a – f” above.

To gain admission to a four-year college, students must also take and submit scores from either the Scholastic Aptitude Test (SAT) or the American College Test (ACT). Testing dates and locations are available in the high school counseling offices. Students are responsible for knowing the entrance requirements for the colleges and universities to which they intend to apply.

\*See GUSD website for a more complete Parents and Guardians Rights handout.

### **English Learner (EL) Parents’ Rights**

Parents of EL students can request placement of a child in an Alternative Program (to be taught in their primary language). Notices and information regarding English Language Immersion Classes, and Alternative Programs are in the GUSD Master Plan for Services to English Learners and are available at each school site, at the District office, and on the District website. This information includes the following:

- Parents or guardians of students who speak languages other than English may request that their child be taught in their primary language.
- Parents or guardians who wish to have their children taught in Spanish and English must follow district Dual Immersion Enrollment procedures. Placement is based on district eligibility criteria. Procedure and eligibility criteria can be found at the district website at <https://www.gilroyunified.org/enrollment-registration/dual-immersion-program>

### **Parent and Guardian Information and Notice**

#### **Alcohol, Tobacco and Other Drug Use Prevention Education (§51260 Summary)**

Instruction shall be given in the elementary and secondary schools on drug education and the effects of the use of tobacco, alcohol, narcotics, and dangerous drugs, as defined in Section 11032 of the Health and Safety Code, and other dangerous substances.

In grades 1-5, instruction on drug education should be conducted in conjunction with courses given on health or in any appropriate area of student instruction pursuant to Section 51210.

In grades 6-12, instruction on drug education should be conducted in conjunction with courses given on health or in any appropriate area of study pursuant to Section 51220.

Such instruction shall be sequential in nature and suited to meet the needs of students at their respective grade levels.

### **Alternative School Programs**

The Gilroy Unified School District offers educational options for its students through Alternative Schools. For any number of reasons, some students are not able to succeed in the traditional high school setting. These students have another chance for academic success through a continuation or alternative education program that offers a smaller learning environment and flexibility in educational experiences, methods of instruction, and schedule.

The District supports the following continuation/alternative schools:

- Envision Academy (high school only)
- Virtual Learning Academy (VLA) -- high school/middle school independent studies
- Mt. Madonna Continuation High School

These schools are open to students from any attendance area in the district. Students may be placed in these schools by the district Student Placement Panel to ensure graduation from high school.

Admission to the alternative schools is through a referral process initiated at the comprehensive school site. Students may be referred to an alternative school at any point during the school year and may be enrolled as space is available.

Exit occurs at the semester to ensure appropriate access and to allow parents and the student to find the most effective educational

option for that student. Parents may obtain further information about the alternative schools in the Counseling office of each comprehensive high school or by calling the Educational Services Division.

### **Attendance, Enrollment and Transfers**

Compulsory attendance is the law in California from age 6 until 18 (Education Code Section 482600). A student who has three unexcused absences or three tardies or absences of more than 30 minutes, or any combination thereof, without valid excuse is considered legally truant.

A student that has six unexcused absences or six tardies or absences of more than 30 minutes, or any combination thereof is considered habitually truant and may be referred to the district attorney's office for legal action. (Education Code Section 48260.5).

All absences must be cleared within five (5) school days through the main office, as follows:

- A written note from the parent/guardian or parent representative.
- A conversation, with school office staff and the parent/ guardian or parent representative.
- A visit to the student's home by school district personnel.
- Any reasonable method that verifies that the student was absent for the reasons stated.
- A physician's verification.
- Confirmation by school staff of confidential medical appointments.
- Failure to notify the school office staff of an absence within 5 school days will result in the absence being recorded as unexcused and will apply towards truancy.

### **The District 10% Policy**

The district 10% Policy is to be implemented at a date designated by the superintendent or designee but not prior to the District's 20th day of instruction. When a student has accrued absences due to illness verified by the methods listed in paragraphs one (1) through six (6) above, equal to or surpassing ten percent (10%) of the school days during which the student was enrolled, from the date of enrollment to the current date, subsequent absences must be verified by a physician, health professional, school nurse, or other school personnel.

Absences must be cleared daily, unless other arrangements are made with the school principal or designee. For chronic illnesses, parents should provide the school with current physician orders.

Failure to provide verification from a physician, health professional, school nurse or other school personnel, will result in said additional absences being recorded as unexcused. When a student has absences equal to or surpassing the 10% limit as described above, for excusable reasons other than illness, the student and parent may be referred to a student study team or a School Attendance Review Board for a case review.

Placing a student under the requirement of the ten percent (10%) policy or removing a student from said requirements and procedures prior to the end of the current academic year, shall be left to the discretion of the school site principal.

Eighteen-year-olds must have absences verified by a physician, medical or school personnel.

While students are highly discouraged from missing school for reasons other than illness, family emergencies or special events sometimes necessitate an extended absence. Students must contract to do work during the period of the absence. Pre-Informed Independent Study Contracts must meet strict California State guidelines in order to result in excused absences.

- Short term Independent Study (IS) needs to be a minimum of 5 days and a maximum of 10 days.
- Written request must be made at least two weeks in advance. Parent is responsible for requesting the contract in person at the school site.
- Contracts will not be approved the first and the last week of each semester. All finals must be taken at the school site.
- Contracts will not be approved if:
  - student has received notices of truancy
  - middle or high school student has 2 or more F grades.
  - Student has failed to complete prior contracts

### **§48205 Excused Absences; Average Daily Attendance Computation**



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

- (1) Confidential medical appointments without parent consent (grades 7-12) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (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.
- (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 his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- (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.

(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 any class from which a pupil is absent shall determine the 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) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be referenced to "pupil."

#### **§46014 Regulations regarding absences for religious purposes**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in the code.

Such absence shall not be deemed an absence in computing average daily attendance, if all of the following conditions are complied with:

- a) The governing board of the district of attendance, in its discretion, shall first adopt a resolution permitting pupils to be absent from school for such exercises or instruction.
- b) The governing board shall adopt regulations governing the attendance of pupils at such exercises or instruction and the reporting thereof.
- c) Each pupil so excused shall attend school at least the minimum school day for his grade for elementary schools, and as provided by the relevant provisions of the rules and regulations of the State Board of Education for secondary schools.
- d) No pupil shall be excused from school for such purpose on more than four days per school month.

When the school/ school district first designates a pupil as a truant, it must notify the parent(s) or guardian(s) using the most cost-effective method possible, which now may include electronic mail or a telephone call:

1. That the pupil is truant
2. That the parent(s) or guardian(s) is obligated to compel the attendance of the pupil at school
3. That parent(s) or guardian(s) who fail to meet this obligation may be guilty of an infraction (or a misdemeanor) and subject to prosecution under EC Section 48293 (or Penal Code sections 270.1 and 272. Although not required by law for reimbursement purposes, it is recommended that the letter also reference these PC sections)
4. That alternative educational programs are available in the district
5. That the parent(s) or guardian(s) has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy
6. That the pupil may be subject to prosecution under EC Section 48264



- That the pupil may be subject to suspension, restriction, or delay of the driving privilege
- That it is recommended that the parent(s) or guardian(s) accompany the pupil to school and attend classes with the pupil for one day.

**Second Notification of Truancy (EC Section 48261)**

If the unexcused absences or tardiness continue after the first letter has been sent, the school/ school district must notify the parent(s) or guardian(s) by first-class mail, or other reasonable means, that a school meeting has been scheduled for the parent and pupil to discuss attendance with school officials.

**Third Notification of Truancy/Designation as a Habitual Truant (EC Section 48262).**

If the pupil has been reported as a truant three or more times per school year and the school/district has made a conscientious effort to hold at least one conference with the parent or guardian and the pupil, and unexcused absences or tardiness have continued, the school district needs to issue a directive requesting the family to attend a SARB hearing or a truancy mediation meeting. As with the first notification of truancy, the notice of habitual truancy may be made using the most cost-effective method possible, which may include electronic mail or a telephone call.

**§48204 Residency Requirements for School Attendance**

(a) Notwithstanding Section 48200, a pupil shall be deemed to have complied with the residency requirements for school attendance in a school district, provided he or she is any of the following:

- (1) A pupil placed within the boundaries of that school district in a regularly established licensed children’s institution, or a licensed foster home, or a family home pursuant to a commitment or placement under chapter 2 (commencing with Section 2090) of Part 1 of Division 2 of the Welfare and Institutions code. An agency placing a pupil in a home or institution described in this subdivision shall provide evidence to the school that the placement or commitment is pursuant to law.
- (2) A pupil for whom inter-district attendance has been approved pursuant to Chapter 5 (commencing with Section 46600) of Part 26.
- (3) A pupil whose residence is located within the boundaries of that school district and whose parent or legal guardian is relieved of responsibility, control, and authority through emancipations.
- (4) A pupil who lives in the home of a care giving adult that is located within the boundaries of that school district. Execution of an affidavit under penalty of perjury pursuant to Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code by the care giving adult shall be a sufficient basis for a determination that the pupil lives in the caregiver’s home, unless the school district determines from actual facts that the pupil is not living in the caregiver’s home.
- (5) A pupil residing in a state hospital located within the boundaries of that school district.

(b) A school pupil, one or both of whose parents, or whose legal guardian, is employed within the boundaries of that school district.

- (1) Nothing in this subdivision requires the school district within which the pupil’s parents or guardians are employed to admit the pupil to its schools. Districts may not, however, refuse to admit pupils under this subdivision on the basis, except as expressly provided in this subdivision, of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration.
- (2) The school district in which the residency of either the pupil’s parents or guardians is established, or the school district to which the pupil is to be transferred under this subdivision, may prohibit the transfer of the pupil under this subdivision if the governing board of the district determines that the transfer would negatively impact the district’s court-ordered or voluntary desegregation plan.
- (3) The school district to which the pupil is to be transferred under this subdivision may prohibit the transfer of the pupil under this subdivision if the district determines that the additional cost of educating the pupil would exceed the amount of additional state aid received as a result of the transfer.
- (4) Any district governing board prohibiting a transfer pursuant to paragraph (1), (2), or (3) shall identify, and communicate in writing to the pupil’s parent or guardian, the specific reasons for that determination and shall ensure that the determination and the specific reasons therefore, are accurately recorded in the minutes of the board meeting in which the determination was made.
- (5) The average daily attendance for pupils admitted pursuant to this subdivision shall be calculated pursuant to Section 46607.
- (6) Unless approved by the sending district, this subdivision does not authorize a net transfer of pupils out of any given district, calculated as the difference between the number of pupils exiting the district and the number of pupils entering the district, in any fiscal year in excess of the following amounts:

(A) For any district with an average daily attendance for that fiscal year of less than 501, 5 percent of the average daily attendance of the district.

(B) For any district with an average daily attendance for that fiscal year of 501 or more, but less than 2, 501, three percent of the average daily attendance of the district or 25 pupils, whichever is greater.

(7) For any district with an average daily attendance of 2,501 or more, 1 percent of the average daily attendance of the district or 75 pupils, whichever is greater.

(8) Once a pupil is deemed to have complied with the residency requirements for school attendance pursuant to this subdivision and is enrolled in a school in a school district whose boundaries include the location where one parent or both parents of a pupil is employed, or where the pupil's legal guardian is employed, the pupil shall not have to reapply in the next school year to attend a school within that school district and the district governing board shall allow the pupil to attend school through the 12th grade in that district if the parent or guardian so chooses and if one of the pupil's parents or guardians continues to be employed by an employer situated within the attendance boundaries of the school district, subject to paragraphs (1) to (6), inclusive.

(c) This section is inoperative on and after July 1, 2007, and as of January 1, 2008, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2008, deletes or extends the dates on which it becomes inoperative and is repealed.

### **School Attendance Review Board (SARB)**

Students who are identified as habitual truants by their school sites will be referred to a School Attendance Review Board. The Gilroy Unified School Districts' SARB may include representatives from: school sites, district-level representatives, law enforcement, Probation, county Human Services Department, health care and mental health professionals, and parents.

The School Attendance Review Board meets with the student and the parent/guardian to discuss the truancy and impose consequences that range from signing a contract for improved attendance, referral to outside agencies for assistance, transfer from one school to another, to referral to the District Attorney's office for prosecution.

### **Choosing a School within the District in which Parents/Guardians Live**

Choosing your Child's School: A Summary of School Attendance Alternatives in California California law (Education Code section 48980

(g) requires all school boards to inform each student's parents/guardians at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students that attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification.

There is one process for choosing a school within the district in which the parents/guardians live (intra-district transfer), and three separate processes for selecting schools in other districts (inter-district transfer). The general requirements and limitations of each process are described below.

**Choosing a School outside the District in which Parents/Guardians Live** Parents/guardians have three different options for choosing a school outside the district in which they live. The three options are described below.

#### **1. AB 19 Districts of Choice**

The law (Education Code Sections 48209 through 48209.16) allows, but does not require, each school district to accept transfer students from outside the district under the terms of these 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 make sure that the students are selected through a "random and unbiased" process, which generally means a lottery process.

Students may transfer into a "district of choice" through this mechanism beginning with the 1995-1996 school year. The last year current law will allow a student to transfer under these provisions is the 1999-2000 school year. If the district a parent/guardian would like his/her child transferred into chooses not to become a "district of choice," a parent/guardian may still request a transfer

under either the “Other Inter- district transfers” or the “Parental Employment in Lieu of Residency” options described below. Other provisions of AB 19 include:

- (a) Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage, depending on the size of the district, of its total enrollment.
- (b) 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.
- (c) Siblings of students already attending school in the “district of choice” must be given transfer priority.
- (d) A parent/guardian may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.

## **2. Other Inter-district Transfers**

The law (Education code Sections 46601 through 46611) allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. There are not statutory limitations on the kinds of terms and conditions districts are allowed to place on transfers. The law on inter-district transfers also provides for the following:

- (a) Both the school district a parent/guardian is transferring from must take into consideration the child care needs of the student. If the transfer is approved based on childcare needs, the student may be allowed to stay in the new district or the high school district to which it feeds through the 12th grade, subject to certain conditions.
- (b) If either district denies a transfer request, a parent/guardian may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.
- (c) No district is required to provide transportation to a student who transfers into the district.

## **3. Parental Employment in Lieu of Residency Transfers (“Allen Bill Transfers”)**

The law (Education Code Section 48204(f) provides that if one or both parents/guardians of an elementary school student are employed in the boundaries of a school district other than the one in which they live, the student may be considered a resident of the school district in which his/her parents or guardians work. The code section does not require that a school district automatically accept a student requesting a transfer on the 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(f) include:

- a) Either the district in which the parent/guardian lives or the district in which the parent/guardian works may prohibit the transfer if it determines there would be a negative impact on its court- ordered or voluntary desegregation plan.
- b) The district in which the parent/guardian works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the district would receive for educating the student. This limitation might particularly apply to any special needs student that would require extra services from the district for which the district believes the state aid it would receive would not fully pay.
- c) There are set limits (based on total enrollment) on the net numbers of student that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- d) There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent/guardian the specific reasons for denying the transfer.

## **Transfer Options for Gilroy Unified School District Students**

California law and Gilroy Unified School District policy provide an opportunity for parents and guardians to request a school in a different attendance area other than the area where they live. Parents may request a school within Gilroy Unified School District (intra- district) or in a different district (inter- district). Please contact the Enrollment Office for more information.

## **Open Enrollment**

Gilroy Unified School District does not have an open enrollment policy. Students may attend a school outside of their attendance area for the following exceptions:

- Students in Dual Immersion Spanish Language Programs.
- Students placed at a school by the GUSD placement panel.
- Students who are impacted by overflow conditions.
- Specific case-by-case students.

### **Intra-district Enrollment for K-12**

All enrollment within Gilroy Unified School District will be resolved no later than the second week of school year. The following conditions apply:

- Students who live in the school attendance area have priority in attending their home school.
- The District will decide the number of openings (capacity) at each school that can be filled by transfer students. If more requests to attend a school is received than there are openings, the District will use a random and unbiased lottery to fill the openings and establish a waiting list.
- If the request for a new school is approved, the student cannot return to the previous school until the next enrollment period.
- Transportation to the new school is the responsibility of the parent.

### **School Transfer Requests**

Requests for a different school may be submitted at any time, although the actual transfer will not take place until a semester or quarter break. These requests are submitted on different forms. Transfer requests require a reason for the request and expire at the end of the school year.

### **Inter-district Transfer**

The form to request a school in a different district is submitted to the district office in which the student resides. For students living in the Gilroy Unified School District attendance area, submit the form to the enrollment office, 7810 Arroyo Circle, Gilroy, CA 95020. Approval may be granted if:

1. There is space at the desired school.
2. One of the following reasons has been met.
  - Students transferred are subject to the same disciplinary actions as other students, and the inter-district agreement may be revoked if discipline or truancy problems become chronic.
  - Exceptional baby-sitting problems especially with children, K-3.
  - Exceptional difficulties of working, or single parent homes.
  - Baby-sitting need when the baby-sitter is a relative or has been the sitter for at least two (2) years, grades K-5.
  - Home under construction or in the process of purchase with family occupancy set at a reasonable time, generally six (6) enrollment was not based on athletic eligibility.
  - Maintaining eligibility under this rule may occur only one time in the student's high school career.

Important Note: Any violation could result in the forfeiture of all games played.

### **Adult Education**

Programs offered in collaboration with Gavilan Community College.

- High School Diploma Program
- High School Equivalency Program (GED, HiSET)
- Adult Basic Education (Math, English, Computer Literacy)

We have free childcare for our night class students from 6:00 pm to 9:00 pm M-Th months.

- Hardship (a confidential situation which is essentially a medical, psychological, or social problem as certified by a physician, psychologist, or community consultant).
- Any student who moves from one school attendance zone to another may remain to the end of the year.

\* The parent/guardian of a K-8 student resides in one district and is employed in the attendance area of a school in another district. If the desired school is not in the school attendance area where the parent/guardian is employed, one of the reasons in 2 above must be met.

### **Attendance-Athletic Eligibility**

Once in high school, eligibility (including those transferring from one high school to another) is governed by the rules of the California Interscholastic Federation (CIF). Current California Interscholastic Federation Section 220, rule 223 (A) allows high school students enrolled in a different Gilroy Unified high school to be immediately eligible if:

- The change in enrollment takes place during the first 15 days of the school year.
- The receiving school attests that the selection process for approving student

### **After School Programs and Activities**

#### **After School Education and Safety (ASES) and 21st Century After School Programs:**

Power School operates expanded learning programs after school and during the summer for all elementary (TK-5) and middle schools (6-8) in Gilroy Unified School District. Power School provides a healthy snack, support with homework, an academic component to support school day learning, recreation time to encourage a healthy physically active lifestyle, and an enrichment program. The program operates from right after school until 6:00 pm every day school is in session.

Power School is funded by After School Education and Safety (ASES) state grant, 21st Century Community Learning Centers federal grant, and Expanded Learning Opportunity Program (ELO-P) funds. The programs purpose is to serve students who are struggling academically, or are considered to be in one or more of the following categories: English Learner, Low-Income, Foster Youth, and/or Homeless, however the program also serves non-qualifying students as space allows.

For more information, please see the Power School website: <https://www.gilroyunified.org/departments/educational-services/power-school>.

#### **After School Hourly Interventions:**

Some elementary and middle schools provide targeted tutorial support for students at risk of not meeting grade-level standards or at risk of not being promoted to the next grade level.

Schools develop their own programs during the school year, and the district provides summer school programs

### **Child Abuse**

All school personnel are legally required to immediately report cases of suspected or actual child abuse to a Children's Protective Service Agent (408-846-4400). Failure to report is a misdemeanor punishable by imprisonment not to exceed six months, or a fine not to exceed \$1,000.00 or both. (Penal Code 11166) A parent or guardian of a child has a right to file a complaint against a school district employee or other person that they suspect has engaged in child abuse while at a school site. To ensure that an appropriate investigation takes place, the parent or guardian must first notify the site administrator and then must file a verbal or written complaint with the local child protective agency and school district.

### **Civil Rights Complaints**

School district programs and activities are to be free from discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability and for monitoring compliance with any and all rules and regulations promulgated pursuant to Section 11138 of the Government Code. (Amend. Stats. 1988, Ch. 1514). If such discrimination occurs, parents have the right to submit a written complaint subject to civil law remedies. Education Code 260. See complaint process and forms in this handbook.

### **Counseling Services**

Mental Health Services: GUSD can provide parents and guardians with information about how to access mental health services through local agencies. Contact your school site principal, counselor or the GUSD or the Student Services Department for more information.

### **Child Care**

Child care is provided for parents who attend the Superintendent's Parent Advisory Council (SPAC), the District English Language Advisory Council (DELAC), 21st Century Family Literacy Classes, Adult Education, and other specialized and mandated meetings. These services are arranged by the department that hosts the meeting. Early Childhood Education GUSD offers preschool and state funded early childhood education (ECE) for students ages 3-5. Migrant Education and Student Services provide programs for students with special needs in collaboration with the district ECE. Contact the Early Childhood Education Administrator or visit the GUSD website for more information.

### **Employment-Based School Attendance Options**

An application for inter-district transfer of a student may be made based upon the employment of the parent. An elementary school pupil (K-5) shall be deemed to have complied with the residency requirements for school attendance if the pupil's parent or legal guardian is employed within the boundaries of the school district. Allen Bill (AB 149), Education Code 48204 (f).

### **English Learner Programs**

Gilroy Unified School District has developed a comprehensive plan to address English Learner (EL) Programs. The Master Plan for Services to English Learner provides clear guidance for parents and guardians of EL students.

### **Exceptional Children**

Special Education programs or services are provided for pupils with an assessed disability and require special education supports to access the general education curriculum. Referrals for assessment to determine eligibility for special education and services may come from teachers, parents, agencies, appropriate professional persons, and from other members of the public or the Student Services Department.

### **Health**

Head Lice: The problem of head lice and nits is ongoing and can be difficult to control at home and at school. Even though lice and nits are not a major threat to health, they are easily spread. The Centers for Disease Control, the American Academy of Pediatrics, California Nurses' Association, and the National Association of School Nurses all recommend that students not be excluded from school for having nits and that the management of head lice should not disrupt a student's educational process. The AAP further recommends that since a child with an active head lice infestation has likely had the infestation for a month or more by the time it is discovered, poses little risk to others, and does not have a resulting health problem, he or she should remain in class but be discouraged from close direct head contact with others. The child's parent or guardian should be notified that day and educated on

the prompt, proper treatment of head lice. The child should be allowed to return to school after proper treatment. For more information contact the District Student Services Director.

Immunization Requirements: State law requires that all students under age 18 be immunized against certain diseases unless they are exempt for medical reasons. The school must have proof that your child is current on required immunizations at the time he/she is registered. Please check with your pediatrician, family physician or medical clinic to make sure your child is fully immunized; your child may be excluded from school if these are not met.

Information on obtaining a permanent medical exemption for your students is available from the school nurse.

### **Health/Immunizations required for school attendance are as follows**

Polio: four doses (any combination IPV or OPV); three doses are acceptable if the last dose was given on or after the fourth birthday for students 4 – 6 years of age; three doses meet the requirement for age 7 – 17 if the last dose was given on or after the 2nd birthday.

DTP/DTaP (diphtheria, tetanus, and pertussis before age 7) entering students 4-6 years old must have five doses; four doses meet the requirement if one dose was given on or after 4th birthday. For entering students 7-17 years old, four doses; three doses meet the requirement if last dose was given on or after 2nd birthday. At least one dose must be Tdap or DTaP/DTP given on or after 7th birthday for all 7th-12th graders.

Hib (haemophilus influenza type b) is required of children under the age of four years, six months.

MMR (measles, mumps, rubella; MMR or MMR-V) Entering students must have two (2) doses both on or after 1st birthday. Only one dose of mumps and rubella vaccines are required if given separately. For students entering 7th grade, 2 doses of MMR or any measles containing vaccine. (Both doses given on or after 1st birthday.

Hepatitis B: (Hep B or HBV) Entering students must have three (3) doses.

Varicella (chickenpox, VAR, MMR-V, or VZV: One dose for ages 4-6, one dose for ages 7-12, and two doses for ages 13-17.

TB Test (PPD) Mandate: Students are no longer required to have mandatory TB testing but must undergo a TB risk assessment prior to entering kindergarten or upon transfer to Santa Clara County schools. Each student must now be evaluated by a health care provider who will complete the Santa Clara County Public Health Department TB Risk Assessment for School Entry form. TB risk assessment and test results (if indicated) must be submitted prior to school entry; documented TB screening and tests performed in the US up to twelve months prior to registration for school are considered valid. Students who have a positive risk assessment should have a TB test. All children with a positive TB test should undergo medical evaluation, including a chest x-ray. The results of the chest x-ray should be included on the form. If the chest x-ray is normal and the child has no TB symptoms, they may start school. If the child has an abnormal chest x-ray, the child must undergo further evaluation and cannot enter school unless treatment has been initiated.

Physical Examination: A state law called the Child Health and Disability Prevention Program strongly recommends that every child have a physical examination before entering first grade. Parents or guardians are asked to present a report of examination or a waiver statement to the school within 90 days of entry to first grade. School staff will assist families in making plans to meet this request.

An annual physical examination is required of all secondary students who participate in interscholastic athletic programs. The coaches/school staff will apprise parents of low- cost health screenings at the school if they are available. Complete physical exams by a personal physician are highly recommended.

### **Home and Hospital Program**

This program provides quality instruction by certificated teachers for students who are unable to attend school due to a temporary illness or injury and will need a home teacher for a minimum of two weeks. Students may qualify for services if they:

- Are currently enrolled in grades K-12 and live within the Gilroy Unified School District boundaries.
- Live outside the Gilroy Unified School District School boundaries but are temporarily hospitalized within the district.

- Live within the Gilroy Unified School District boundaries and attend a private or parochial school but need to be registered at a Gilroy Unified School District school during the time the student is on Home and Hospital instruction.

Documentation of a diagnosed illness or condition from a student's medical doctor is required to receive home/hospital instruction. For more information and/ or to request an instructor for home/hospital instruction along with a form for your doctor to complete, visit the Student Services website or contact the Health Services Department.

### **Instructional Use of Animals**

Harmful or Destructive Use of Animals (§ 32255 Summary) Except for those students enrolled in agricultural education providing instruction on the care, management, and evaluation of domestic animals, any pupil with a moral objection to dissecting or otherwise harming or destroying animals, or any part thereof, may, upon notifying his/her teacher and with teacher approval, receive alternate education for obtaining the knowledge, information, or experience required by the course of study in question. Pupils have the right to refrain from the harmful or destructive use of animals in their classroom. The pupil shall not be discriminated against based upon his or her rights to refrain.

### **Insurance/Student Injuries**

The school district does not carry medical or accident insurance for individual students. Parents are responsible for emergency medical costs beyond first aid provided at the school site. Student accident insurance is available for purchase from a variety of insurance agencies. Information is available in school offices and on the district website. If emergency medical or dental treatment is needed and the parent or listed emergency contacts cannot be reached, 911 will be called. The school district is not responsible for charges incurred as a result of 911 calls or ambulance transfers.

### **Intervention Programs**

Interventions are programs provided by the schools to help students achieve grade level standards. GUSD offers multiple opportunities for academic intervention for K-12 students.

Students are placed in interventions based on the results from assessments, including the California Assessment of Student Performance and Progress (CAASPP), the English Language Proficiency Assessment for California (ELPAC), GUSD benchmark tests, classroom diagnostic assessments and teacher recommendation. Schools use a variety of instructional programs designed to address student's academic needs.

### **Library Cards**

Gilroy Unified School District is partnering with our very own Gilroy Public Library, a member of the Santa Clara County Library District, to provide free library accounts to all students. All students enrolled in Gilroy schools are eligible. In order to create the library accounts, GUSD will provide student directory information (name, address, birthdate) and the Student Identification Number to SCCLD. Students will then be assigned a free student library account. If you do not want the School District to provide your child's information to the Santa Clara County Library District, please contact the GUSD Ed Services office.

### **Moves – Family Residential**

When parents or guardians move, they are required to inform their school of attendance as soon as possible. Verification of a new address is necessary. For parents or guardians who move out of the Gilroy Unified School District and inter-district transfer will be required in order to allow their student to continue in GUSD. Children and youth who become homeless in between academic years are entitled to attend their school of origin for the following year. Migrant children, preschool children and youth whose parents will not permit them to live at home or who have run away from home may be identified as homeless.

### **Parental Financial Liability**

While a student is accountable for his/her willful acts of misconduct, parents and legal guardians are financially responsible for damage and injury caused by their child's misconduct. Wherever a student damages, defaces in any way or steals any school district property, the parents or guardians of that student shall be liable for restitution. This same liability will prevail even if the damage or loss was not intentional, but resulted from other negative or inappropriate behavior not acceptable on District property. The GUSD will seek restitution for any and all losses or damage to District property brought about by any student through any appropriate



means including, but not limited to the Cost Recovery Program. The parent or guardian of a minor/student shall be liable to the school district for all property belonging to the district, loaned to the minor/student, and not returned upon demand of an employee of the District, authorized to make that demand. This applies to textbooks, technology, classroom materials, physical education equipment, elective course supplies and equipment, and calculators.

#### **Police Officers Interviewing Students While on Campus**

Peace officers have the right to question students whom they feel may be suspects or witnesses at the school. School officials have no guaranteed right to be present for an interview with a student and should not insist on that unless it is agreed upon by those participating. The child/student, however, does have the right to have a school support person, of his or her own choice, present during the interview and must be advised of that right by the child protective services worker, or peace officer, prior to the interview. The school is required to notify the parent if the child/student is released to an officer, per Education Code 48906, except when the child is placed into custody as a victim of child abuse or neglect. The Safe Schools and Discipline section provides more information.

#### **Records and Access to Student Information**

Districts maintain records on student enrollment, academic progress, and health requirements for students. These records are subject to the following regulations.

#### **§ 49075 Access to Records by any person with written parental consent**

A school district may permit access to pupil records to any person for whom a parent of the pupil has executed written consent specifying the records to be released and identifying the party or class of parties to whom the records may be released. The recipient must be notified that the transmission of the information to others without the written consent of the parent is prohibited. The consent notice shall be permanently kept with the record file.

#### **§49076 Access to records by persons without written parental consent or under judicial order**

A school district is not authorized to permit access to pupil records to any person without written parental consent or under judicial order except that:

(a) Access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:

- (1) School officials and employees of the district, members of a school attendance review board appointed pursuant to Section 48321, and any volunteer aide, 18 years or older, who has been investigated, selected, and trained by a school attendance review board for the purpose of providing follow up services to students referred to the school attendance review board, provided that the person has a legitimate educational interest to inspect a record.
- (2) Officials and employees of other public schools or school systems, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the pupil intends to or is directed to enroll, subject to the rights of parents as provided in Section 49068.
- (3) Authorized representatives of the Comptroller General of the United States, the Secretary of Education, and administrative head of an education agency, state education officials, or their respective designees, or the Unified States Office of Civil Rights, where the information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for the audit, evaluation, and enforcement of federal legal requirements.
- (4) Other state and local officials to the extent that information is specifically required to be reported pursuant to state law adopted prior to November 19, 1974.
- (5) Parents of a pupil 18 years of age or older who is a dependent as defined in Section 152 of the Internal Revenue Code of 1954.
- (6) A pupil 16 years of age or older or having completed the tenth grade who requests such access. Any district attorney who is participating in or conducting a truancy mediation program pursuant to Section 48263.5 or Section 601.3 of the Welfare and Institutions Code, or participating in the presentation of evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code.
- (7) A prosecuting agency for consideration against a parent or guardian for failure to comply with the Compulsory Education Law (Chapter 2 [commencing with Section 48200] of Part 27 of Division 4 of Title 2) or with Compulsory Continuation Education (Chapter 3 [commencing with Section 48400] of Part 27 of Division 4 of Title 2).

(8) Any probation officer or district attorney for the purposes of conducting a criminal investigation or an investigation in regards to declaring a person a ward of the court or involving a violation of a condition of probation.

(b) School districts may release information from pupil records to the following: (1) Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons. (2) Agencies or organizations in connection with a student's application for, or receipt of, financial aid. However, information permitting the personal identification of students or their parents may be disclosed only as may be necessary for purposes as to determine the eligibility of the pupil for financial aid, to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid. (3) Accrediting associations in order to carry out their accrediting functions.

(4) Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if the studies are conducted in a manner that will not permit the personal identification of students or their parents by persons other than representatives of the organizations and the information will be destroyed when no longer needed for the purpose for which it is obtained.

(5) Officials and employees of private schools or school systems where the pupil is enrolled or intends to enroll, subject to the rights of parents as provided in Section 49068. This information shall be in addition to the pupil's permanent record transferred pursuant to Section 49068.

A person, persons, agency, or organization permitted access to pupil records pursuant to this section may not permit access to any information obtained from those records by any other person, persons, agency, or organization without the written consent of the pupil's parent. However, this paragraph does not require prior parental consent when information obtained pursuant to this section is shared with other persons within the educational institution, agency or organization obtaining access, so long as such persons have a legitimate interest in the information.

#### **§49077 Disclosure of student information; compliance with court orders or lawfully issued subpoena; notification of pupil and guardian**

Information concerning a student shall be furnished in compliance with a court order or a lawfully issued subpoena. The school district shall make a reasonable effort to notify the parent or legal guardian and the pupil in advance of compliance with a lawfully issued subpoena and, in the case of compliance with a court order, if lawfully possible within the requirements of the order.

#### **§49073 Release of Directory Information**

School districts shall adopt a policy identifying those categories of directory information as defined in subdivision (c) of Section 49061 that may be released. The district shall determine which individuals, officials, or organizations may receive directory information. However, no information may be released to a private profit-making entity other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college operating under Chapter 7 (commencing with Section 94700) of Part 59 or its authorized representative. However, no such private school or college shall use that information for other than purposes directly related to the academic or professional goals of the institution, and any violation of this provision is a misdemeanor, punishable by a fine of not to exceed two thousand five hundred dollars (\$2,500). In addition, the privilege of the school or college to receive the information shall be suspended for a period of two years from the time of discovery of the misuse of the information. Gilroy Unified School District strictly limits or denies the release of directory information to organizations based upon a determination of the best interests of pupils.

Directory information may be released according to local policy as to any pupil or former pupil. No directory information shall be released regarding any pupil if a parent has notified the school district that the information shall not be released.

#### **§49073.5 Release of information to Military Services Representatives; Release of Telephone numbers**

(a) It is the intent of the Legislature that school districts, in adopting a policy pursuant to Section 49073 governing the release of pupil directory information, not purposefully exclude any military services representative from access to that information. It is further the intent of the Legislature, in the interest of pupil confidentiality, that school districts minimize the release of pupil telephone numbers in the absence of express parental consent. The Legislature finds and declares that the nondisclosure of pupil telephone numbers will reduce the possibility of harassment of pupils and their families by organizations that receive pupil directory information. An opt-out form for the release of student information is available in the forms to sign section of this handbook. If parents or guardians do not want student information released, this form must be filled out and returned to the student's school to notify the district of this request.

**Release of Information and Student Images for Media Purposes**

Representatives from the news media often visit our campuses to take photographs or videotape of students involved in various educational activities. Additionally, the district will take photographs of school activities to include in print and website publications, as well as digital or electronic promotional media forms. Parents have the right to deny permission for their student to be photographed, videotaped or interviewed while at school and to have those images distributed through print or electronic media sources. Students will be included in these activities, unless a parent has signed and returned the media release form in the forms section of this handbook or indicated in other written manner that their child's image may not be used in media and promotional materials.

## **Students' Rights and Responsibilities**

Gilroy Unified School District understands that K-12 public schools exist for the education of children. With this in mind, students have both rights and responsibilities that contribute to educational opportunities and academic achievement success.

Section I: Students have the right to a free and appropriate public education which will teach them to function in today's modern society as responsible citizens. Toward this end no student, or group of students, shall be deprived of an education because of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability or any other reason which in any way results in a deprivation of the rights provided in this section.

Section II: Students have the right to attend safe, clean, and when reasonably possible, uncrowded school facilities. It shall be the responsibility of all persons within our academic community to work toward developing academic environments that will promote learning for all our children. It is the responsibility of all persons within our academic community to refrain from depriving our students, teachers, administrators, staff and parents with those rights set forth in this section.

Section III: In order to promote a successful academic environment which provides our students with an understanding of their academic choices, students, along with their parents or guardians, shall have the right to consult with guidance counselors and/or any district person involved in the educational process to help them plan for fulfilling such student's academic goals.

Section IV: Students have the right to peaceably assemble and create and organize student government. Students have the right to: (1) free elections by their peers; (2) to seek and hold office in student government; (3) to develop a student government constitution ratified by the student body; (4) to administer the business of the student governing body with final approval from the student representatives and from the administration of the school.

Section V: All students have the right to be involved with and participate in school activities for which they are reasonably qualified.

Section VI: Students have the right to be included in committees which determine policies affecting them in the areas of curriculum and behavior. They have the right to participate in the planning, writing, implementation and evaluation of curriculum and behavior policies. Additionally, they shall have the right to provide their point of view pertaining to the policies under consideration as well as the right to access other points of view in the process relating to the content of instruction or the behavior under consideration.

Section VII: Students have the right and responsibility to participate in the development and revision of school policies, rules and regulations to which they are subject. They further have the right to be notified reasonably, in advance, when such policies, rules and regulations will be developed, revised or enforced.

Notification of these policies, rules, and regulations shall be the responsibility of the enforcing bodies.

Section VIII: Students have the right to review anything within their files under an administrator's guidance except for those items which are specified as legally privileged communications and evaluations or which are prohibited from such student's review under current law. Students have the right to insert rebuttals to information and opinions in their files.

Section IX: Students may exercise their constitutionally protected rights of free speech, expression and assembly as long as they refrain from interfering with the operation of the regular school program; refrain from inciting others to violence or violations of state or federal laws; engage in conduct contrary to state or federal law, and so long as they are not libelous, obscene or illegal. Toward this end, students have the right to wear political buttons, armbands or any other badge of symbolic expression. Students have the right to form social and/or political organizations as long as they do not violate State or Federal law. Students have the right to distribute off-campus publications under the following provisions: Distribution will be made at a designated time.

1. Location for distribution will be designated by the Principal.
2. No obscenities may be published nor violation of State or Federal law be advocated.
3. Copy of the publication shall be presented to the Principal no later than the morning of distribution.
4. All publications shall be free.
5. Publications are to be distributed only by students from the school.
6. Students shall have the right to reasonable use of communication systems including bulletin boards, public address systems, newspapers and school bulletins.

Section X: Within reason, students have the right to determine their own appearances if that appearance is not disruptive to the learning process in the classroom or is deemed by the board as unsafe. School wide uniforms may be interventions used by the board to prevent disruption of the learning process or to reduce dangers at a particular school.

Section XI: Students have the right to present petitions and complaints to school authorities and the right to receive prompt responsive replies from school authorities regarding the disposition of their petitions and complaints. Students shall also have the right to appeal an adverse ruling to school authorities not immediately involved in the dispute or involved in the initial adverse ruling as further set forth in Section XV below.

Section XII: Students have the right to be shown respect from school personnel in the same manner and to the same extent which is expected of the students toward school personnel.

Section XIII: Students have the right to be free from searches of their persons or lockers unless authorities have a reasonable suspicion that rule violations have occurred and such search is allowed by the United States or California Constitutions and/or State or Federal law.

Section XIV: Schools may take no punitive action against students for off-campus conduct during non-school hours unless it is directly related to school activities such as field trips, athletic team and special events. Students have a responsibility to the school for their conduct on the way to and from school and while members of voluntary school groups.

Section XV: No student shall be deprived of the traditional rights of due process including, but not limited to, the right to adequate representation, the right to an impartial hearing, the right to confront accusers, the right to be free from self-incrimination and the right to appeal. The right of appeal shall follow procedures established at the school level. It is the student's right to be informed of this process of appeal whenever action may be taken against him/her.

Section XVI: Every student has the responsibility to respect the rights of others and the responsibility not to engage in action that will affect the physical safety of others or intentionally damages the property of others.

Section XVII: Every student has the responsibility not only to avail himself or herself of the educational opportunities provided by our district but also every student has the responsibility not to disrupt the educational environment and learning process of other students.

See individual school handbooks and handouts for additional information.

As of August 2019, for student safety reasons and to control disruptions of school operations and the learning environment, the District cannot allow outside food delivery, including professional delivery and food brought from home, to students during school hours. Board Policies 1250 and 6116 Education Code Section 32212

## **Student Achievement**

Gilroy Unified School District is committed to the academic achievement of all students. Each school has core and intervention programs to support students in meeting proficiency levels and beyond to expand their career and college-going opportunities.

## **After School Programs**

Power School operates expanded learning programs after school and during the summer for all elementary (TK-5) and middle schools (6-8) in Gilroy Unified School District. Power School provides a healthy snack, support with homework, an academic component to support school day learning, recreation time to encourage a healthy physically active lifestyle, and an enrichment program. The program operates from right after school until 6:00 pm every day school is in session.

Power School is funded by After School Education and Safety (ASES) state grant, 21st Century Community Learning Centers federal grant, and Expanded Learning Opportunity Program (ELO-P) funds. The programs purpose is to serve students who are struggling academically, or are considered to be in one or more of the following categories: English Learner, Low-Income, Foster Youth, and/or Homeless, however the program also serves non-qualifying students as space allows.

For more information, please see the Power School website: <https://www.gilroyunified.org/departments/educational-services/power-school>

### **Assessments**

Gilroy Unified School District recognizes the importance of assessment and testing. Districts are required to use multiple assessment results to monitor the academic progress of all students.

The purpose of testing and assessment is three- fold. State mandated assessments like the California Assessment of Student Performance & Progress (CAASPP) are designed to determine if students (a) have mastered standards, and (b) are proficient in English Language Arts and math. If you would like more information about these assessments, please visit our GUSD Assessment web page, which has a number of additional links, including the opportunity to view the practice tests that have been released to view the type of items that will be assessed. In addition, a parent or guardian may submit a request to excuse his or her child from any or all parts of any test. Please contact your child's school during regular school hours if you have any questions or concerns about the CAASPP tests or about the specific dates the tests will be administered at your child's school.

State developed language proficiency assessments, like the ELPAC (English Language Proficiency Assessment for California), measure student growth in learning English. From kindergarten through 12th grade, students take weekly, monthly, end of unit, and end of quarter or semester tests to help teachers determine student need, student progress, and grades. The Student Assessment Department has more information on the district's assessment system.

### **Advanced Placement**

The California Department of Education provides grant funding for examination fees for economically disadvantaged students who are enrolled in Advanced Placement (AP) courses. Any economically disadvantaged pupil who is enrolled in an Advanced Placement course may apply through their counselor or academic coordinator office at their school for this grant. Students who qualify for the grant program should see the school to request the following form: Student Eligibility Form B Documentation for the Advanced Placement Test Fee Payment Program. A pupil who receives a grant shall pay five dollars (\$5) of the examination fee.

### **Career Technical Education**

Gilroy Unified School District has a state approved Career Technical Education (CTE) plan that includes all high schools, and alternative schools. Pathways for both comprehensive high schools and alternative high schools are in the development and implementation stage. Currently, students at Gilroy High School can earn CTE credits for several industry sectors including Bio-Technology, Agriculture, and Transportation. Students at Christopher High School can earn CTE credits for several industry sectors including Digital Media Arts and Performing Arts. Once all pathways are fully developed at all schools, students' diplomas will also include a CTE certification or completion notation. CTE programs intend to expand options for students. At any time, during the four years of high school, students can change pathways. There is more information in the state approved CTE plan.

### **Career Technical Education (CTE) Pathways**

All students completing requirements in the Career Technical Education (CTE) Pathway shall demonstrate proficiency in meeting state- adopted standards. Courses meeting these requirements shall be developed by the Superintendent and adopted by the Board. Pathways requirements include:

- An integrated set of three year-long career/technical courses, which prepare students for entry-level employment in a specific industry sector and advanced education/training after graduation for a career in a specific industry sector; or
- An integrated set of three year-long visual arts, performing arts, or communication courses in a specific artistic discipline, and
- Take an industry certification exam (or equivalent) associated with their specific career pathway or complete a portfolio which demonstrates achievement within a specific artistic discipline. The school shall inform students requiring financial assistance to take the industry certification exam of scholarship opportunities.

## **CTE Individual Pathways**

Subject to the written approval of the school principal or administrator-designee, students may meet the requirements of an Individualized Pathway which shall be a coherent grouping of courses designed to allow the student to meet specific educational objectives. An Individualized Pathway consists of five year- long courses selected from those required as part of the CTE or A-G pathways. All students completing requirements in the Individual Pathway shall demonstrate proficiency in meeting state- adopted standards for their coursework.

## **Certificate of Completion**

Gilroy Unified School District has provisions for students to receive a certificate of completion for specific special circumstances. Students who receive this certificate in lieu of a high school diploma will work with high school Academic Coordinators, Student Services Department, and other support staff to determine the need for support and further action. The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a certificate of completion and the resources that have been offered to such students.

## **Community Service**

All high school seniors must fulfill an 80 hour community service requirement in order to graduate. BP 6746.1 (a)

1. In order to ensure acceptance of a student's Community Service activity for credit, students must perform Community Service for a nonprofit agency on the pre- approved list. Failure to perform Community Service for an approved agency carries the risk of being denied credit for time served.
2. Students must use the official GUSD School Community Service Time Sheet. Students' timesheets must be signed by their parent or guardian.
3. All community service work must be completed outside of school hours.
4. Paid Work will not be considered for Community Service Hours.
5. Community Service activities will be approved only for work through a nonprofit community service organization. Hours may be done through a large corporation if the corporation is sponsoring the community service opportunity.
6. In order to graduate, all GUSD students will fulfill minimum of 80 hours of Community Service, no later than May 1 of their senior year. Students must earn ten hours in at least two categories.
7. Community Service credit will not be given for service performed for a parent or a relative.
8. Approved Community Service will not exceed more than 8 hours per day including
  1. volunteering at youth camps which include overnight lodging.
9. Service hours will not be given for any high school club or team meeting.
10. Hours earned for after school or weekend training or planning sessions may count towards community service when the training results in actual volunteer service towards the community. (For example: serving on the Relay for Life Committee, etc.)
11. Community Service credit will not be granted for recruitment, membership building or teaching about an organization or its beliefs, philosophy, or mission. For example, Community Service credit will be granted for volunteer work performed for a church providing childcare, directing recreational activities, helping feed or clothe those in need, or providing other community services, but credit will not be granted for teaching about religious beliefs or for organizing or participating in religious ceremonies.
12. The organization receiving service always has the option of not signing a timesheet if the student's job performance is not satisfactory.
13. Students entering Gilroy Unified School District will have their Community Service Hours prorated at 20 hours per school year (5 hrs/quarter). To receive credit for hours worked at previous schools, the Community Service documents must be submitted, reviewed, and approved. Students selecting this option will not be pro-rated. All hours submitted must fulfill GUSD's requirements.
14. Hours spent for rehearsing/performing in a school or community event will not meet Community Service requirements.

## **Counseling**

Gilroy Unified School District provides a comprehensive counseling program that includes academic, career and personal/social counseling. Parents/guardians have the right to be informed of the counselor's role and the confidential nature of the counseling relationship between the counselor and student. Every effort will be made to collaborate with parents/guardians to support student success and well-being. Courses of Study and Curriculum The California Education code requires that "the governing board of every school district...prepare and...keep on file for public inspection the courses of study prescribed for the schools under its jurisdiction." Courses of Study (§51040). The district provides its students with a rigorous standards-based curriculum appropriate for each grade level.

## **Curriculum**

GUSD uses the California Frameworks for K- 12 Public Schools and other state developed tools in order to strengthen a common, coherent achievement vision throughout the district.

Our district's goal is to provide the most current, standards-based materials, the most relevant and meaningful learning opportunities for teachers and students, and targeted support for students above or not meeting grade-level. This goal is achieved through:

- Timely and comprehensive core materials adoptions.
- Timely and comprehensive intervention materials identification and adoption.
- Effective English Language Development frameworks and supplemental programs
- Ongoing Professional Development

The District has a formal process in place for K- 12 curriculum development that is aligned with the K-12 Continuum of Curriculum for the four core content areas, language arts, mathematics, science and social science. In addition to curriculum development, GUSD has a formal process in place for K-12 textbook adoption.

## **Early Assessment Program (EAP)**

The Early Assessment Program (EAP) is a collaborative effort among the California State Board of Education (SBE), the California Department of Education (CDE) and the California State University (CSU). The program was established to provide opportunities for students to measure their readiness for college- level English and mathematics in their junior year of high school, and to facilitate opportunities for them to improve their skills during their senior year. The EAP is embedded in the California Assessment of Student Performance & Progress (CAASPP) for all eleventh graders. Upon completing the CAASPP assessment students indicate if they would like their scores sent to CSUs.. All eleventh grade GUSD students who are considering applying to a CSU campus are encouraged to participate in the EAP and should talk to their high school counselor for greater details.

## **English Learner Programs**

The academic progress of English Learners (EL) has a direct impact on school and district achievement. GUSD has developed and adopted a Master Plan for Services to English Learners. This plan includes the requirements for program, assessment, funding, and academic support to improve EL student achievement.

Once identified for services, EL students will receive the following program support:

- English Language Development (ELD)
- Specially Designed Academic Instruction in English (SDAIE) in all core content areas (ELA math, science, and social science).
- Reading and math interventions, if needed.

English Language Development (ELD) is provided for students in grades K-12 by their identified ELD level. The specific goals of the district program are to:

- Develop the English fluency and proficiency of English Language Learners as effectively and efficiently as possible.
- Provide EL students with access to an academic curriculum equal to that of their English only peers.
- Assist EL students to meet district content and performance standards in core curriculum areas as assessed by the CAASPP, and other high stakes tests.
- Promote cross-cultural understanding and efficacy of EL students to strengthen their engagement in academic settings.

## **English Learner (EL) Program Description:**

English Learner (EL) Program Options

Structured English Immersion (SEI) -

SEI provides nearly all classroom instruction in English. EL students are placed with native English speakers for instruction in listening, speaking, reading and writing.



English Language Development (ELD) is provided daily. Instructional materials are matched to student needs and include print, audio, visual, graphic, and electronic resources. Some primary language support may be provided as needed.

Alternative Program - Dual Immersion: This option requires that parents fill out an application. The district Dual Immersion Programs are housed at Las Animas and Rod Kelley for grades K-5, South Valley Middle School for grades 6-8, and Gilroy High School for grades 9-12. Students are accepted in this type of program based on a specific criteria responding to the design of this dual language model and capacity is limited. For more information on the District DI program, please see the district website or contact the EL Department at the Educational Services Division.

### **Graduation and Promotion Grades 9-12**

GUSD believes that the completion of an organized and sequential course of study prepares students for post-secondary education and/or employment. To obtain a diploma of graduation from the comprehensive high school, students shall complete 220 credits in grades 9- 12:

- 40 English credits
- 30 Social Science credits
- 30 credits in science, including biological and physical sciences (Education Code 51225.3) \*Which must include one year of "Life Science" and one year of "Physical Science" with labs).
- 30 Mathematics credits
- 20 World Language
- 10 Visual Performing Arts
- 20 Physical Education
- 5 Vocational Education Credits
- 35 Elective credits
- 80 hours Community Service

At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. (Education Code 51224.5).

Completion, prior to grade 9, of Algebra coursework that meets or exceeds state academic content standards shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12 (Education Code 51224.5).

### **Early College High School**

To obtain a high school diploma from the early college high school, students shall successfully complete a senior project, and [g4] complete 275 credits in grades 9-12 of which 40 college units (equivalent to 133 high school credits) must be college coursework (excluding units earned due to Advanced Placement scores):

1. 50 credits in English Language Arts  
10 credits Freshman Honors English  
10 credits Sophomore Honors English  
10 credits Junior AP English

\*10 credits for College ENGLISH 1A Coursework

\*Score of 3, 4 or 5 on AP English Language and Composition will allow credit for College English 1A credit

10 credits College Coursework

2. 30 credits in History Social Science  
10 credits World History (AP)  
10 credits US History (AP)  
5 credits American Government (AP)  
5 credits Economics (AP)

3. 40 credits in Mathematics  
10 credits Freshman Integrated Math I (Honors)  
10 credits Freshman/Sophomore Integrated Math II (Honors)

10 credits Sophomore/Junior Integrated Math III (Honors)  
10-30 required College Coursework (Pre-Calculus or Statistic minimum)

4. 30 credits in Science

10 credits Biology Honors

10 credits Chemistry Honors

10 credits College Science Elective

5. 30 credits College Language other than English

6. 10 credits College Visual and Performing Arts

7. 5 credit College Vocational Education

8. 20 credits Physical Education

10 credits Freshman PE 9

10 credits Elective College Kinesiology

9. 60 credits in Electives

28 credits Academic Prep

10 – 40 credits Seminar

12+ credits elective College Coursework

10 credits senior projects

### **Gifted and Talented Education (GATE)**

Gifted and Talented Education in GUSD is based on the belief that every child is entitled to the opportunity to develop his/her full potential through a variety of services based on standard- based instruction, the California State Frameworks and the California State Standards for Gifted and Talented Education.

All GUSD students have one or more opportunities to be tested for GATE. All second grade students are given the Raven's Progressive Matrices Plus (RPM+) test in the spring. Students in third, fourth or fifth grade that are new to the district are tested during the regular district testing cycle with a teacher or parent referral.

All GUSD schools provide services for GATE identified students. Contact your child's school principal for more information.

### **Graduation and A-G**

All students completing A - G requirements shall demonstrate proficiency in meeting state- adopted standards. Each of the four courses must be approved through the University of California.

- Algebra I or equivalent courses determined by the Superintendent as meeting the University of California requirement for a third year of mathematics.
- A second laboratory science course such as chemistry, physics or AP biology.
- One additional world language course in the same language as that of the core world language.
- Any other course needed to meet minimum A - G entrance requirements for the UC/CSU system that is not used to meet core graduation requirements. Take the Scholastic Assessment Test (SAT) or the American College Testing (ACT) required of admission applicants by the University of California and, as 11th graders, the Preliminary Scholastic Assessment Test (PSAT), or take the English and math placement tests for California community colleges. All high schools shall provide students in need of financial assistance to take the tests information about local, state and federal financial assistance programs.

## **Independent Study**

Students enrolled in the Independent Study Program are required to meet all graduation requirements.

## **Intervention Programs**

GUSD schools provide interventions during the school day for students who are not meeting grade level standards. Based on the results of assessments and teacher input, students may receive core instruction with support (strategic interventions) or replacement core (intensive interventions) in reading/language arts and math. English Learner students also receive interventions designed specifically for language acquisition and academic development.

Parents/guardians will be notified in a timely manner when their student is not making adequate progress in the achievement of academic standards and is in need of one or more interventions. All adopted programs are designed to accelerate student achievement.

## **Migrant Education Program**

Children and youth qualify for Migrant Education supplemental services if they meet the definition of “migratory child” and if the basis for their eligibility is properly recorded on a certificate of eligibility (COE) based on the MEP recruiter’s assessment. Priority for services is given to Migrant students who have experienced an interrupted school year and/or are newcomers to the U.S. Upon verification of eligibility, students qualify for up to three years of services. There are three main strands of supplemental Migrant Ed services to students at GUSD as follows:

1. Academic support for the summer and regular school year: These services include: center based Preschool (Migrant Education School Readiness), Extended Day, Summer School instruction for grades K-8. Credit Recovery Program, and Drop-out Prevention Counseling are services provided for grades 9-12. During the summer, the program provides ELD, Math, Reading, Writing, , as well as tutorial support for priority-for-services mobile students. Migrant Education Staff coordinates academic support programs with the GUSD Summer School Programs to maximize access of Migrant students to all district offerings in grades K-12.
2. Health Services: health insurance sign-up support, supplemental vision screening and mobile dental/medical services are provided to Migrant students in partnership with the Valley Medical Hospital System, Gardner Family Health Network, Stanford’s Packard Pediatrics’ Clinic, Children’s Health Initiative of Santa Clara and GUSD Health Services.
3. Parent Involvement and Leadership Development: Leadership development is on- going with the Migrant Parent Advisory Committee (PAC) which elects officers every two years. The PAC advises on all aspects of the Migrant Education program, including programs, services, budget development and staffing. Parent involvement also includes parent orientations for newcomers, incoming preschool and kinder students, and a fall parent- student institute for parents of students in the GUSD High Schools. Migrant parents access Family Literacy and Adult ESL through partnerships with, Gavilan College. Contact the GUSD Migrant Education office at (669) 205-4000 for more information.

## **Plan for College**

GUSD encourages all graduates to have a clear plan for career or college after graduation. Research on college-going rates indicates the value of students envisioning themselves in college from an early age. The first step in planning is understanding what must be accomplished in order to graduate from high school prepared to attend college. Students and parents/guardians are encouraged to review graduation and A - G requirement regularly in comparison with the student’s achievement reports. Frequent meetings with school staff will help students set personal achievement goals. The A – G requirements noted below are submitted by the Regents of the University of California and are aligned with the district’s college preparation and core academic requirements:

- a. Two years of history-social science, which are to include one year of world history, culture and geography, and one year of US history or one half year of US history and one half year of civics or American government,
- b. An English class every semester of every year for four years (no more than one year of ELD or reading intervention courses can be used to meet this requirement.)
- c. A mathematics class every semester of every year for three years, including elementary and advanced algebra and geometry. (Four years are recommended)
- d. Two years of a laboratory science beyond the ninth grade in at least two of these three foundational subjects: biology, chemistry and physics. (three years are recommended)
- e. Two years of the same language other than English (Three years are recommended)

- f. One year long course from a single discipline in the visual arts or performing arts.
- g. One year of a college preparatory elective in addition to those required in “a – f” above.

To gain admission to a four-year college, students must also take and submit scores from either the Scholastic Aptitude Test (SAT) or the American College Test (ACT). The SAT is offered several times during the year at various Gilroy High School and other sites to be determined. Students are encouraged to take the PSAT their sophomore year or junior year and the SAT at least once in their junior year so they have scores when applying for college in the first semester of their senior year. Taking the SAT as a junior also allows students to retake these exams as seniors to improve scores, if needed, before submitting their college applications. For information about deadlines to sign up for the PSAT and SAT (where tests will be given, costs, and scholarships for testing fees) contact the Counseling Center at your high school.

Students are responsible for knowing the entrance requirements for the colleges and universities to which they intend to apply.

Local two and four year colleges, Gavilan Community College, Evergreen Community College, Cabrillo Community College, CSU Monterey Bay, CSU San Jose, and Santa Clara University provide multiple options for students seeking college degrees. Students are also encouraged to investigate which two year programs have “transfer agreements” with CSUs, UCs, and private colleges.

Students are encouraged to take placement tests for the California Community Colleges. These tests determine the level of English, Math and Chemistry for student enrollment. For information about testing dates and deadlines at Gavilan College, consult the website at [www.gavilan.edu](http://www.gavilan.edu) or contact the Counseling office at your high school or from the financial aid office at the college to which you are applying.

#### **Grade 12 GPA Cal Grant Submission**

GUSD will automatically submit the GPA of all 12th grade students to the California Student Aid Commission by October 1st, for the Cal Grant financial aid process. If you wish to opt out of this automatic GPA submission, please contact your high school Academic Coordinator /Counselor by August 30th of the current academic year.

#### **California Colleges Guidance Initiative**

Gilroy Unified has partnered with the California College Guidance Initiative (CCGI) to help your child make a well-informed college and career plan. The benefits of the partnership include giving students access to CSU and UC eligibility tools to view progress towards meeting the “a-g” course requirements. This will help your child know if they are taking the right courses in high school to meet their goals after graduation. Should you wish to opt-out from the District’s disclosure of your Student Information, please contact your Academic Coordinator at your high school.

#### **Promotion/Retention**

The Governing Board expects students to progress through each grade level within one school year. To accomplish this, instruction should accommodate the variety of ways that students learn and include strategies for addressing academic deficiencies when needed. Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

As early as possible in the school year, the Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, Board policy, administrative regulation, and the following criteria.

Students shall be identified on the basis of grades, and other indicators of academic achievement; such as district identified diagnostic, formative and summative assessments, including but not limited to, the results of assessments pursuant to Education Code 60648 and the minimal levels of proficiency recommended by the State Board of Education pursuant to Education Code 60648. It is the intent that no student will be retained more than one year during his/her enrollment in the K-9 program but will continue to receive supplemental programs.

When any student in grades 2-9 is retained or recommended for retention, the Superintendent or designee shall offer programs of direct, systematic, and intensive supplemental instruction in accordance with Education Code 37252.2 and Board policy.

If a student is identified as performing below the minimum standard for promotion, the student shall may be retained in his/her current grade level unless the student's regular classroom teacher determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for interventions other than retention that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

#### **Promotion/Retention Middle School (6-8)**

If a student is not making appropriate progress toward promotion, parents/ guardians will be notified as early in the school year as practical, but no later than the end of the first grading period. A variety of academic support programs will be offered.

#### **Promotion/Retention High School (9-12)**

In order to graduate from any district high school, a student must earn 220 units during grades 9 through 12. Normal promotion to the next grade level is based upon total units earned by the student. Students shall have completed the following minimum units at the start of the school year for class standings:

- 60 units for sophomore standing.
- 120 units for junior standing
- 180 units for senior standing.

Parents/guardian will be notified no later than the end of each grading period if a student isn't making adequate progress toward graduation. A variety of academic support programs or classes will be offered, including summer school. High school students are subject to the graduation requirements in Board Policy 6146.6. (See the Graduation Requirements Section.) Parents/guardians and students will be notified in writing of any changes to the graduation policy by the end of the first semester of each school year.

#### **Section 504 of the Rehabilitation Act**

Section 504 is a civil rights statute designed to ensure equal access to education for students with disabilities. The law prohibits discrimination on the basis of disability by any recipient of federal funds. A local educational agency must provide a free appropriate public education to all students qualified under the 504 provisions. Under 504, a person is considered disabled if the person has a physical or mental impairment which substantially limits one or more of the person's major life activities, has a record of impairment, or is regarded as having an impairment. Section 504 is a general education function with very general procedural requirements. Copies of the district's Section 504 Policy are available on the Student Services website or from the District Office. The Student Services Director is the Section 504 Compliance Office for the district. Further information regarding parent/ student rights and district procedures is available on the Student Services website, or at the Student Services Department.

Students who meet the academic performance level specified in their IEP or 504 Plan may be considered for promotion even if they do not meet the performance criteria using the district assessments.

#### **Individuals with Disabilities**

Education Act (Title 20 U.S.C. §1412) Under 20

U.S.C. §1412, a free appropriate public education is available to all eligible children with disabilities. The rights and protections of the Individuals with Disabilities Education Act are extended to all eligible children. Eligible children are entitled to an educational program and related services as designated in each child's individualized education program (IEP) at no cost to the parent. In order to be eligible, a child must be evaluated in conformance with Code 34 of Federal Regulations Sections 300.530-.534 as having one or more specified physical or mental impairments, and must be found to require special education and/or related services by reason of one or more of such impairments. IDEA also mandates that as much as possible children with disabilities are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the general educational environment occurs only when the nature or severity of the disability is such that education in general classes with the use of supplementary aids and services cannot be achieved satisfactorily .Provisions of Special Education Programs (\$56001)

It is the intent of the Legislature that special education programs provide all of the following:

- a. Each individual with exceptional needs is assured an education appropriate to his or her needs in publicly supported programs through completion of his or her prescribed course of study or until the time that he or she has met proficiency standards prescribed pursuant to Sections 51215 and 51216.
- b. Early educational opportunities shall be available to all children between the ages of three and five years who require special education services.
- c. Early education opportunities shall be made available to children younger than three years of age pursuant to Chapter 4.4 (commencing with Section 56425), appropriate sections of this part, and the California Early Intervention Service Act, Title 14 (commencing with Section 95000) of the Government Code.
- d. Any child younger than three years, potentially eligible for special education, shall be afforded the protections provided pursuant to the California Early Intervention Services Act, Title 14 (commencing with Section 95000) of the Government Code and Section 1439 of Title 20 of the United States Code and implementing regulations.
- e. Each individual with exceptional needs shall have his or her educational goals, objectives, and special education and related services specified in a written individualized education program.
- f. Education programs are provided under an approved local plan for special education which sets forth the elements of the programs in accordance with the local plan for special education. The plan shall be developed cooperatively with input from the community advisory committee and appropriate representation from special education, general education teachers and administrators selected by the groups they represent to ensure effective participation and communication.
- g. Individuals with exceptional needs are offered specialized academic support that promotes maximum interaction with the general school population in a manner that is appropriate to the needs of both, taking into consideration the individual's needs.
- h. Pupils are transferred out of special education programs when special education is longer needed.
- i. The unnecessary use of labels is avoided in providing special education and related services for individuals with exceptional needs.
- j. Procedures and materials for assessment and placement of individuals with exceptional needs shall be selected and administered so as not to be racially, culturally, or sexually discriminatory. No single assessment instrument shall be the sole criterion for determining placement of a pupil. The procedures and materials for assessment and placement of a pupil shall be in the individual's mode of communication. Procedures and materials for use with pupils of limited English proficiency, as defined in subdivision (m) of Section 52163, shall be in the individual's primary language. All assessment materials and procedures shall be selected and administered pursuant to Section 56320.
- k. Educational programs are coordinated with other public and private agencies, including preschools, child development programs, nonpublic nonsectarian schools, regional occupational centers and programs, and postsecondary and adult programs for individuals with exceptional needs.
- l. Psychological and health services for individuals with exceptional needs shall be available to each school site.
- m. Continuous evaluation of the effectiveness of these special education programs by the school district, special education local plan area, or county office shall be made to ensure the highest quality educational offerings.
- n. Appropriate qualified staff is employed, consistent with credentialing requirements, to fulfill the responsibilities of the local plan and positive efforts are made to employ qualified disabled individuals.
- o. Regular and special education personnel are adequately prepared to provide educational instruction and services to individuals with exceptional needs.

### **Special Education Considerations**

To demonstrate minimum competency, special education students in grades 9-12 who have an active Individualized Education Plan (IEP) must complete all course work and take any exams for graduation in order to receive a diploma as identified in Board Policy 6146.4.

Three years prior to the senior year, written notice must be provided to the parents of a special education student informing them of graduation requirements.

### **Pupils with Temporary Disabilities**

(Summary §48206.3)

Except for those pupils receiving individual instruction provided pursuant to Section 48206.5, a pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or

inadvisable shall receive individual instruction provided by the district in which the pupil is deemed to reside. "Individual instruction" means instruction provided to an individual pupil in the pupil's home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by regulations adopted for that purpose by the State Board of Education.

"Temporary Disability" means a physical, mental or emotional disability incurred while the pupil is enrolled in regular day classes or an alternative education program, and after which the pupil can reasonably be expected to return to regular day classes or the alternative education program without special intervention. A temporary disability shall not include a disability for which a pupil is identified as an individual with exceptional needs pursuant to Section 56026.

According to Section 48207, a pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

And a summary of Section 48208 states that it shall be the primary responsibility of the parent or guardian of a pupil with a temporary disability to notify the school district in which the pupil is deemed to reside pursuant to Section 48207 of the pupil's presence in a qualifying hospital. Upon receipt of notification, a school district shall do all of the following:

1. Within five working days of receipt of the notification, determine whether the pupil will be able to receive individualized instruction, and, if the determination is positive, when the individualized instruction may commence. Individualized instruction shall commence no later than five working days after the positive determination has been rendered.
2. Provide the pupil with individualized instruction pursuant to Section 48206.3. The school district may enter into an agreement with the school district in which the pupil previously attended regular day classes or an alternative education program, to have the school district the pupil previously attended provide the pupil with individualized instruction pursuant to Section 48206.3. Special Education/Response to Intervention a major concern for parents as well as teachers is how to help children who experience difficulty learning in school. Everyone wants to see their child excel, and it can be very frustrating when a child falls behind in learning to read, do math, or achieve in other subjects.

Children who have the most difficulty are often referred for an evaluation to determine if they need and qualify for special education services. The term "learning disability" has been used for many years to explain why some children of normal intelligence nevertheless have much difficulty learning basic skills such as reading. Some new federal laws have directed schools to focus more on helping all children learn by addressing problems earlier, before the child is so far behind that a referral to special education services is warranted.

Changes in the federal Every Student Succeeds Act (ESSA) laws of 2015 No Child Left Behind Act of 2001 and the Individuals With Disabilities Education Improvement Act (IDEIA) of 2004, encouraged districts to use a process that provides early intervention for students "at-risk" of academic and behavioral difficulties.

Both laws underscore the importance of providing high quality, scientifically-based instruction and interventions, and hold schools accountable for the progress of all students in terms of meeting grade level standards. "Response to Intervention" (RTI) is the process that emphasizes how well students respond to changes in instruction/interventions. The essential elements of an RTI approach are: universal screening, the provision of scientific, research-based instruction and interventions in general education; monitoring and measurement of student progress in response to the instruction and interventions; and use of these measures of student progress to shape instruction and make educational decisions.

The most commonly cited benefit of an RTI approach is that it eliminates a "wait to fail" situation because students get help promptly within the general education setting. Secondly, an RTI approach has the potential to reduce the number of students referred for special education services. Since an RTI approach helps distinguish between those students whose achievement problems are due to a learning disability versus those students whose achievement problems are due to other issues such as lack of prior instruction, referrals for special education evaluations are often reduced. Finally, parents and school teams alike find that the student progress monitoring techniques utilized in a RTI approach provide more instructionally relevant information than traditional assessments.

## **Safe Schools and Discipline**

In Gilroy Unified School District, safety is always our first priority. One of the ways we ensure the safety of our children is by maintaining strict standards of behavior.

### **Child Abuse**

The parent/ guardian of a child have the right to file a complaint against a school district employee or other person that they suspect has abused a child at a school site.

Child abuse is:

- A physical injury which is inflicted (other than accidentally) on a child by another person
- Sexual abuse of a child
- Willful cruelty or unjustifiable punishment of a child
- Willfully inflicting unjustifiable physical pain or mental suffering or failure to safeguard a child from these injuries
- Unlawful corporal punishment or injury resulting in a traumatic condition
- Neglect of a child or abuse in out-of- home care,

Child abuse is not:

- A mutual fight between minors
- An injury caused by the actions of a police officer using reasonable and necessary force:

1) to quell a disturbance threatening physical injury to people or damage to property

2) to prevent physical injury to people or damage to property

3) for purposes of self-defense

4) to obtain possession of weapons or other dangerous objects within the control of the child

5) to apprehend an escapee

- Injury caused by reasonable and necessary force for a person employed by or engaged in a public school:

1) To stop a disturbance threatening physical injury to people or damage to property

2) For purposes of self defense

3) To obtain possession of weapons or other dangerous objects within reach of a student.

### **Child Abuse Procedure**

The parent/guardian must file a verbal or written complaint with a local child protective agency (police staff, sheriff, county probation, county welfare department or child protective services, school district or county office of education). The child protective agency will investigate the complaint.

If the complaint is substantiated, a copy of the report will be given to the school district governing board. A copy of every report will be given to the appropriate law enforcement agency and to the district attorney. For further information, contact the Superintendent, Gilroy Unified School District, (669) 205-4000.

### **Discipline and Expected Student Behavior**

Rules and regulations are established to maintain an atmosphere conducive to learning. Students who fail to comply with these rules and regulations will be counseled, reprimanded, suspended or expelled and/or arrested as the laws are applied. The Governing Board of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education for the government and discipline of schools under its jurisdiction (§35291). Participation and attendance in extracurricular activities is considered to be part of the educational program. Participants or spectators carry responsibilities as representatives of the schools/ communities. All rules of student conduct apply to extracurricular activities as well.

### **Gang Affiliation and Activity (Summary SRCS AR5114.16)**

The Board of Education desires to provide a safe environment for all students to learn. This includes a strict policy prohibiting gang affiliation and activity on school campuses. For purposes of this policy, a gang is defined as two or more people who form an allegiance for a common purpose and engage, individually or collectively, in acts which may be threatening or criminal, and which may include such behaviors as intimidation, threats and violence Any article of clothing, paraphernalia, accessories, and graffiti which in the judgment of school officials is gang related is prohibited. In making these judgments, school officials shall take into



consideration information obtained from appropriate community agencies and resources. Any gang related gesture, posturing, or other behavior which intimidates, poses a threat to others, causes, attempts to cause or threatens to cause physical harm to others or which may disrupt the educational process is prohibited.

Any student who violates the prohibited gang- related material and behavior rules will be referred to the principal or designee for appropriate action as follows:

When violations involving clothing, paraphernalia, accessories and/or graffiti occur, the specific items will be removed or covered as appropriate. A Notice of Concern Regarding Gang Affiliation and Activity shall be completed by the principal or designee, and reviewed with the student and their parent(s) or guardian(s).

The Notice of Concern will be maintained in the student's file. The student and parent(s) or guardian(s) will be informed of the reasons for such action and of the provisions of this regulation. This does not prevent the school official's right to suspend the student, arrange a parent conference or to take other appropriate disciplinary action, which may include reporting incidents to the police.

When violations involving gestures, posturing or other behavior which is intimidating, threatening, or which causes, attempts to cause, or threatens to cause physical harm to others or disrupt the educational process occur, the principal or designee shall take appropriate disciplinary actions which may include application of the provisions of Education Code 48900.

Students who repeatedly violate the gang affiliation and activity policy will be subject to suspension, referral to an appropriate district hearing and/ or expulsion in accordance with CA Ed Code 48900. Any student or parent/ guardian who is uncertain about whether a particular article of clothing, paraphernalia, accessory or a particular type of conduct complies with the gang affiliation and activity policy is encouraged to discuss the matter with the school principal or designee.

## **Hate-Motivated Behavior**

Policy 5145.9: Hate-Motivated Behavior Status: ADOPTED

Original Adopted Date: 08/23/2018 | Last Revised Date: 09/16/2021 | Last Reviewed Date: 09/16/2021

The Governing Board is committed to providing a respectful, inclusive, and safe learning environment that protects students from discrimination, harassment, intimidation, bullying, or any other type of behavior that is motivated by hate.

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

(cf. 0415 - Equity)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

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

(cf. 5131- Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate motivated acts.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 1700 - Relations Between Private Industry and the Schools)  
(cf. 5148.2 - Before/After School Programs)

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 6142.3 - Civic Education)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6142.94 - History-Social Science Instruction)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

(cf. 1113 - District and School Web Sites)

#### Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

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

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for harassment, threats, or intimidation

##### GOVERNMENT CODE

11135 Prohibition of discrimination in programs or activities

##### PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

##### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

##### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

##### CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.30 Discrimination on the basis of sex in education programs and activities; definitions

106.44 Recipient's response to sexual harassment

106.45 Grievance process for formal complaints of sexual harassment

110.25 Prohibition of discrimination based on age

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

##### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

##### HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, 2019

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Prohibited Disability Harassment, July 2000

## WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

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

California Office of the Attorney General: <http://oag.ca.gov>

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

U.S. Department of Health and Human Services: <http://www.stopbullying.gov>

U.S. Department of Justice: <https://www.justice.gov>

## 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 Description

5 CCR 4600-4670 Uniform complaint procedures

5 CCR 4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Ed. Code 200-262.4 Prohibition of discrimination - <https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==>

Ed. Code 32282 School safety plans

Ed. Code 48900.3 Suspension for hate violence

Ed. Code 48900.4 Suspension or expulsion for harassment, threats, or intimidation

Gov. Code 11135 Nondiscrimination; accessibility to state web sites -

<https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==>

Pen. Code 422.55 Definition of hate crime

Pen. Code 422.6 Crimes, harassment

## Federal References Description

28 CFR 35.107 Nondiscrimination on basis of disability; complaints

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

34 CFR 104.7 Designation of responsible employee for Section 504

34 CFR 106.30 Discrimination on the basis of sex in education programs and activities; definitions

34 CFR 106.44 Recipient's response to sexual harassment

34 CFR 106.45 Grievance process for formal complaints of sexual harassment

34 CFR 106.8 Designation of responsible employee for Title IX

34 CFR 110.25 Prohibition of discrimination based on age

## Management Resources References Description

CA Office of the Attorney General Publication

Promoting Safe & Secure Learning Environment for All: Guidance & Model

Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018

California Department of Education Publication Bullying at School, 2003

Human Rights Campaign Foundation Publication California LGBTQ Youth Report, January 2019

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Prohibited Disability Harassment, July 2000

U.S. DOE, Office for Civil Rights Publication Dear Colleague Letter: Harassment and Bullying, October 2010

Website California Association of Human Relations Organizations -

<https://simbli.eboardsolutions.com/SU/m8A1E26slshimDwiOyFebCjiA==>

Website U.S. Department of Justice - <https://simbli.eboardsolutions.com/SU/BPwrkTmFhGOSXt3hKCVuBw==>

Website California Office of the Attorney General - <https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>

Website U.S. Department of Health and Human Services -

<https://simbli.eboardsolutions.com/SU/V6plus87b5B4plusKnwjiQr7uENA==>

Website CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Website U.S. Department of Education, Office for Civil Rights -

<https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==>

Website California Department of Education - <https://simbli.eboardsolutions.com/SU/os2iq5DcA2RawmY2VZ5FZQ==>

## Cross References Description

0410 Nondiscrimination In District Programs And Activities -

<https://simbli.eboardsolutions.com/SU/WSQVwDRAKlw8ZpxWLOh3dg==>

0415 Equity - <https://simbli.eboardsolutions.com/SU/mtlkdN8EG5RaXuqjsplusiZwg==>

0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/sls7hdli6h0MRUeKfXOfw==>

0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/36txq3j03li8vb4rfzdDAG==>

0460 Local Control And Accountability Plan - <https://simbli.eboardsolutions.com/SU/aeoKiCdvZ03RQP3kTpOW2g==>

0460 Local Control And Accountability Plan - <https://simbli.eboardsolutions.com/SU/dChqC420nj2umECwC24m0A==>

1312.1 Complaints Concerning District Employees - <https://simbli.eboardsolutions.com/SU/bnnli7XD4Fny35akLFAF8g==>

1312.1 Complaints Concerning District Employees - <https://simbli.eboardsolutions.com/SU/plusq9zWjjFITplusLt3TslshM8HGplusg==>

1312.3 Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/XbZAXGnMcwS1Hhdm1pCZplusQ==>

1312.3 Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/ap2rzyWJKplus2SVLBXZu4QGg==>

1400 Relations Between Other Governmental Agencies And The Schools - <https://simbli.eboardsolutions.com/SU/PW4KwaJrmBEJWMx9sslsHlCng==>

1700 Relations Between Private Industry And The Schools - <https://simbli.eboardsolutions.com/SU/BDIKV3cbVZmslshaUAijFOddQ==>

3515 Campus Security - <https://simbli.eboardsolutions.com/SU/MfOtHSRaUBHEFXAFFHwbXQ==>

3515 Campus Security - <https://simbli.eboardsolutions.com/SU/B0ii579mu2slshkplusulEeHra2w==>

3515.4 Recovery For Property Loss Or Damage - <https://simbli.eboardsolutions.com/SU/4czkYJ2DO02gi95hcmpluslnw==>

3515.4 Recovery For Property Loss Or Damage - <https://simbli.eboardsolutions.com/SU/N3BD00iVmndROs65HglbCg==>

4131 Staff Development - <https://simbli.eboardsolutions.com/SU/Jplusw2poSWYca6pL3gqINMNA==>

4131 Staff Development - <https://simbli.eboardsolutions.com/SU/dzWMDWUUKt6QNSC20aRslshVw==>

4218 Dismissal/Suspension/Disciplinary Action - <https://simbli.eboardsolutions.com/SU/fZaqVYoslsH6vJajrsIslaHw==>

4218 Dismissal/Suspension/Disciplinary Action - <https://simbli.eboardsolutions.com/SU/f4PslshRJ2c0SQIXslshDSqSslshbbw==>

4231 Staff Development - <https://simbli.eboardsolutions.com/SU/2zhQPW0s56Oc9MkcOduSRg==>

4231 Staff Development - <https://simbli.eboardsolutions.com/SU/L3yhYbWlodKcr9vc19DhrQ==>

4331 Staff Development - <https://simbli.eboardsolutions.com/SU/47VElj4hQuMslshQmDSkaxihQ==>

4331 Staff Development - <https://simbli.eboardsolutions.com/SU/slsAdl86Zwbq3fslshsto9l15f2Q==>

5131 Conduct - <https://simbli.eboardsolutions.com/SU/jhvUWKANafCelsNJAp9NMg==>

5131 Conduct - <https://simbli.eboardsolutions.com/SU/TNmpluayv3vZcG7eFA10HXIA==>

5131.2 Bullying - <https://simbli.eboardsolutions.com/SU/wGtPhUVXfSLO48esf36UWA==>

5131.2 Bullying - <https://simbli.eboardsolutions.com/SU/UvxG2Zhih3pluskSx5plusDbDRog==>

5131.4 Student Disturbances - <https://simbli.eboardsolutions.com/SU/R6XnplustlI08V0Zp4r7Yplusm5g==>

5131.4 Student Disturbances - <https://simbli.eboardsolutions.com/SU/hHQu7RNHsksNR81dl1mBA==>

5131.5 Vandalism And Graffiti - <https://simbli.eboardsolutions.com/SU/RouRDlkKqpHb3H9NnmSUvW==>

5136 Gangs - <https://simbli.eboardsolutions.com/SU/PD4cm6PNeeJ2mEPKpqtUQ==>

5136 Gangs - <https://simbli.eboardsolutions.com/SU/5gANIowRjuweEfqBLplus4lsw==>

5137 Positive School Climate - <https://simbli.eboardsolutions.com/SU/dlWQgIKbBW2O7wL7Zv7PnA==>

5138 Conflict Resolution/Peer Mediation - <https://simbli.eboardsolutions.com/SU/k97EhpluicPZJngndWp5yEfa==>

5141.52 Suicide Prevention - <https://simbli.eboardsolutions.com/SU/ETHVIK2GqyRZScWq13YQPA==>

5141.52 Suicide Prevention - <https://simbli.eboardsolutions.com/SU/1xlrLHiXfMiLfGfFelplusi3A==>

5144 Discipline - <https://simbli.eboardsolutions.com/SU/JC1KjQWmOpcdHwXUqrlgmQ==>

5144 Discipline - <https://simbli.eboardsolutions.com/SU/HKf9Mo3JfmcjKq4oZ45Alw==>

5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/cz59CVPKaqomMRI6FslshsM1w==>

5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/GtcHcTXEIC7TJAM0Qk6HWw==>

5144.2 Suspension And Expulsion/Due Process (Students With Disabilities) - <https://simbli.eboardsolutions.com/SU/slshsRBVVFcmKDCp1E3814yg==>

5145.11 Questioning And Apprehension By Law Enforcement - <https://simbli.eboardsolutions.com/SU/HK8gecvuKSbhWAvhM1J4Jg==>

5145.12 Search And Seizure - <https://simbli.eboardsolutions.com/SU/7Y9peWq154lcoVaGAU5pqQ==>

5145.12 Search And Seizure - <https://simbli.eboardsolutions.com/SU/9ezR0GbRqplusYnoVJHoiO60w==>

5145.2 Freedom Of Speech/Expression - <https://simbli.eboardsolutions.com/SU/QLnplus0Cl4IPyHDXBXHOW4mw==>

5145.2 Freedom Of Speech/Expression - <https://simbli.eboardsolutions.com/SU/g8CSTHFyNS80MyHmplusL1MxA==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/gpluscAmnHflrYrFyoDzyqnLQ==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/cjdGVbtQnt66e6bDI4clbg==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/TZ5fhY81b6fTtGmmt8ybpq==>

5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/xewZaAOWUZ7JWslshJXaRA99g==>

5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/kHntbgLryyvhEBDEdTsish4w==>

5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/dvXVLCmDhba4ePvAAU3kgQ==>

5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/cYjqQgLLDFprkslshKoYX3vHQ==>

6142.3 Civic Education - <https://simbli.eboardsolutions.com/SU/2YksXzplusDqh237XaG5Op9nw==>

6142.8 Comprehensive Health Education - <https://simbli.eboardsolutions.com/SU/i2908n8MslshqoqvFfUg4t7iA==>

6142.8 Comprehensive Health Education - <https://simbli.eboardsolutions.com/SU/wlWHs1LaB1gslshxx25Uplus3hoA==>  
6142.94 History-Social Science Instruction - <https://simbli.eboardsolutions.com/SU/qPK00oswxMVCqtKRziV3KA==>  
6144 Controversial Issues - <https://simbli.eboardsolutions.com/SU/tpEoYUIFi5jE23OfFkXaCQ==>  
6144 Controversial Issues - <https://simbli.eboardsolutions.com/SU/TluZTYspfsiCZlbeU8oidA==>  
6163.4 Student Use Of Technology - <https://simbli.eboardsolutions.com/SU/taJDRh2LTLONG096y77iYg==>  
6163.4-E PDF(1) Student Use Of Technology - Student Modified AUP -  
<https://simbli.eboardsolutions.com/SU/HVgJbiP2Pegn6TI2mZ2Hfg==>  
6164.2 Guidance/Counseling Services - <https://simbli.eboardsolutions.com/SU/xnbAEZwjrGWleDLS9zSplusXg==>  
6164.2 Guidance/Counseling Services - <https://simbli.eboardsolutions.com/SU/OuIYSplus8gslshLYSDNvv0uslshayw==>  
6173.1 Education For Foster Youth - <https://simbli.eboardsolutions.com/SU/Chi4a9jAXRrebslshLNLqVH0g==>  
6173.1 Education For Foster Youth - <https://simbli.eboardsolutions.com/SU/lIs9MwslshL51Bf15cH5slshHnLQ==>

## **GUSD Board Policy AR 5131**

### **Possession of Cellular Phones and Other Personal Electronic Signaling Devices**

The Governing Board believes that a productive learning environment is one that is free of unnecessary distractions.

In accordance with Education Code 48901.5, personal electronic signaling devices on all district school campuses are subject to regulation by the Board, or its designee, while students are on campus, while attending school-sponsored activities, while under the supervision and control of school district employees, and while on school buses. This includes after-school detention and Saturday School.

The Board imposes the following stipulations and restrictions in order to create a learning environment free of the distractions that might result from unrestricted use of cellular phones and other electronic signaling devices:

#### **Elementary School (TK - Fifth Grade)**

1. Cellular phones, smart watches and other electronic signaling devices are prohibited to be used on campus.
2. In accordance with Education Code 48901.5, no student shall be prohibited from possessing or using an electronic signaling device that is determined by only a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes.
3. Other exceptions to the policy will be determined on a case-by-case basis by the site administrator or his/her designee.
4. If a student is found to be in possession of an electronic signaling device without proper authorization, a district employee will confiscate the device and turn it over to the administration.
5. If a device is confiscated and turned over to the administration, the site administrator or designee will determine when and how the device will be returned.
6. A student who violates this policy is subject to discipline in accordance with Board policy, administrative regulation, and site rules.
7. Students bring electronic signaling devices on campus at their own risk. The school is not responsible for lost, stolen, or damaged electronic signaling devices.

#### **Secondary (Sixth - Twelfth Grade)**

1. Students may possess electronic signaling devices.
2. Cellular phones and other electronic signaling devices must be turned off and kept out of sight during class time. Electronic signaling devices shall not be left on in vibrating mode.

3. In accordance with Education Code 48901.5, no student shall be prohibited from possessing or using an electronic signaling device that is determined by only a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes.
4. Students shall be allowed to use cellular phones and other electronic signaling devices before school, after school, and during breaks.
5. If a student uses an electronic signaling device while on campus or if an electronic device rings while a student is on campus and proper authorization has not been given for the use of the device, a district employee will confiscate the device and turn it over to the administration.
6. If a device is confiscated and turned over to the administration, the site administrator or designee will determine when and how the device will be returned.
7. A student who violates this policy is subject to discipline in accordance with Board policy, administrative regulation, and site rules.
8. A student who violates this policy may be prohibited from possessing a personal electronic signaling device at school or school-related events.
9. Students bring electronic signaling devices on campus at their own risk. The school is not responsible for lost, stolen or damaged electronic signaling devices.

The use of electronic signaling devices for unlawful and inappropriate reasons is prohibited. These include, but are not limited to, invasion of privacy, endangerment, sexual harassment, and cheating. Such a use will be subject to discipline in accordance with Board policy, administrative regulation, and California Education Code.

#### **Sample School Discipline Process for Electronic Devices:**

Personal Electronic Device Policy: Personal Electronic Devices (PEDs) are brought to school at the students' own risk, lost, damaged or stolen electronics are not the responsibility of \_\_\_\_\_ School. Theft or damage will NOT be investigated by school administration. If students choose to bring electronic devices, cell phones or smart watches to school, they must abide by the following rules:

- PEDS must be turned off and out of sight during class time unless otherwise directed by the teacher for instructional purposes.
- PEDS must be turned off and out of sight when students are out of class with a hall pass during class time.
- PEDS may be used during passing periods, brunch, and lunch only if hearing is not restricted. Portable speakers are not allowed at any time on campus and will be confiscated if played at any time during the day, including lunch and brunch.

#### **Violations of PED Policy**

Level 1: 1st Offense—Item may be picked up at 3:15 from the Discipline Office

Level 2: 2nd Offense—Item may be picked up at 3:15 from the Discipline Office-lunch time detention assigned

Level 3: 3rd Offense—Parent/Guardian must pick up the item from the Assistant Principal's Office (upon availability of the Assistant Principal) After school work detail assigned.

Level 4: 4th Offense-Parent/Guardian must pick up the item from the Assistant Principal's Office (upon availability of the Assistant Principal) Parent/Student sign PED contract.

Confiscation of Prohibited Items: All prohibited items will be confiscated. Some confiscated items are returned to the student at the end of day while others may be returned to a parent or guardian. Items that are illegal or are part of a criminal investigation are handed over to the Gilroy Police Department or Santa Clara County Sheriff's Office. Confiscated items, which may be returned,

should be claimed at the Discipline Office. All unclaimed confiscated items will be discarded after twenty(20) school days. Unclaimed items confiscated during the last twenty days of school must be claimed by the last day of school, or they will be discarded.

### **No Smoking**

Gilroy Unified School District is a tobacco free district. All tobacco, including chewing tobacco, is prohibited at all times on district property.

This includes outdoor areas. Thank you for your adherence to this policy.

### **Personal Property Loss**

The district does not carry insurance against the loss or damage to personal property such as automobiles, bicycles, cameras, electronic devices, musical instruments and sporting equipment. The district does take reasonable care to provide for the safekeeping of the students' personal property, but thefts and damage do occur and it's appropriate to file claims under individual homeowners' or renters' policies in those instances.

### **Respect and Civility in Schools**

There is a great deal of diversity in the families we serve, and we strive to ensure that everyone feels welcome in our schools. The Board of Education and district staff, recognizing that we are a multi-racial, multi-ethnic, multi-lingual school district, believe 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 and students. A major aim of education in Gilroy Unified School District is the development of a reasoned commitment to the core values of a democratic society.

In accordance with this aim, the school district will not tolerate behavior by students, staff or visitors which insults, degrades or stereotypes any race, gender, disability, physical characteristics, ethnic group, sexual preference, age, national origin or religion.

### **Right to Include Statement or Response to Disciplinary Action**

Whenever there is included in any pupil record information concerning any disciplinary action taken by school district personnel in connection with the pupil, the school district maintaining such record or records shall allow the pupil's parent/guardian to include in such pupil record a written statement or response concerning the disciplinary action.

### **Sexual Harassment/Students (BP 5114.17 summary)**

It is the policy of the Gilroy Unified School District to provide an educational, employment, and business environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

It is unlawful for anyone who is authorized to recommend or take personnel or educational action affecting an employee or student, or who is otherwise authorized to transact business or perform other acts or services on behalf of the Gilroy Unified School District, to engage in sexual harassment. Within the work environment, sexual harassment is unlawful and is prohibited between supervisors and employees, between employees, and between non-employees and employees. Within the educational environment, sexual harassment is unlawful and is prohibited between students, and between employees and students.

Sexual harassment means any unwelcome sexual advance, unwelcome requests for sexual favors, or other unwelcome verbal, visual, or physical conduct of sexual nature made by someone from or in the educational or work setting, whether it occurs between individuals of the same sex or individuals of opposite sexes, under any of the following conditions:

- 1) Submission to the conduct is explicitly or implicitly made a term or condition or an
- 2) individual's academic status, employment or progress.
- 3) Submission to, or rejection of, the conduct by the individual is used as a basis of academic or employment decisions affecting the individual.



4) The conduct has a purpose or effect of having a negative impact upon the individual's academic performance, work or progress or has the purpose or effect of creating an intimidating, hostile, or offensive educational or working environment. The conduct is sufficiently severe, persistent, pervasive or objectively offensive, so as to create a hostile or abusive educational or working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

5) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors programs, or activities available at or through the local agency.

Verbal sexual harassment includes, but is not limited to, unwelcome epithets, comments, or slurs of a sexual nature. Physical sexual harassment includes, but is not limited to, assault, impeding or blocking movement, or any physical interference with work or school activities or movement when directed at an individual on the basis of sex. Visual sexual harassment includes, but is not limited to; derogatory posters, cartoons, drawings, obscene gestures, or computer-generated images of a sexual nature.

Educational environment includes, but is not limited to, the following:

- 1) The campus school grounds of the local agency.
- 2) Properties controlled or owned by the local agency.
- 3) Off-campus, if such activity is sponsored by the local agency, or is conducted by organizations sponsored by or under the jurisdiction of the local agency.

Reasonable efforts will be made to keep a complaint and the results of an investigation confidential. Witnesses shall be informed of the confidential nature of the matter and the investigation and shall be informed that it would be a violation of this policy to disclose the complaint or the nature of the investigation to others.

The initiation of a complaint of sexual harassment will not reflect on the complainant or witnesses in any way. It will not affect such person's future relationship with the district, his or her employment, compensation or work assignments, or, in the case of students, grades, class section, or other matters pertaining to his or her status as a student in any district program. It is unlawful and a violation of this policy to engage in such retaliation.

Students who violate this policy and/or the law may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with district policy and state law.

Employees who violate this policy and/ or the law may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with applicable policies, laws, and/ or collective bargaining agreements. Students who violate this policy and/or the law may be subject to discipline up and including expulsion. Such disciplinary action shall be in accordance with district policy and state law.

### **Sexual Harassment All Other**

Employees, students, or other individuals who feel wronged because of conduct that may constitute sexual harassment are encouraged, but not required, directly to inform the person engaging in such conduct that it is offensive and just stop. An aggrieved individual is not required to complain first to his or her supervisor (in the case of an employee) or to his or her instructor (in the case of student), if that supervisor, or instructor, is the individual who is harassing the employee or student.

The Assistant Superintendent of Human Resources is to serve as a facilitator and source of information, as well as to assist in resolving matters informally when requested to do so, or, if anyone would like a referral to an outside agency, such as EEOC or DFEH (as to employment) or OCR (as to students or employees). The assistant superintendent of Human Resources should be contacted as follows:

Gilroy Unified School District 7810 Arroyo Circle  
Gilroy, CA 95020  
(669) 205-4000

Employees serving in supervisory or managerial positions that receive complaints or observe harassing conduct by or of employees, students, or others shall immediately inform the District Human Resources Office. While complaints should be in writing, any complaint received, whether in writing or not, shall be investigated. Complaints can be filed on the forms contained within this

handbook, or if not on these forms, the complaint should contain the same information on all complaint forms. Complaints shall be filed with:

GUSD Human Resources Department Gilroy Unified School District  
7810 Arroyo Circle  
Gilroy, CA 95020  
(669) 205-4000

Complaints should be filed as soon as reasonably possible after the conduct in question has arisen. All complaints shall be promptly and thoroughly investigated in a confidential manner. The investigation, including written report, shall be completed within thirty (30) calendar days.

All decisions made under this procedure may be appealed by the aggrieved person to the Superintendent and, thereafter, to the Board of Education.

Gilroy Unified School Districts Sexual Harassment policy is intended to supplement, and not replace, any applicable state and federal laws and regulations. Formal complaints under those laws and regulations shall be processed through the procedures established by applicable state and federal agencies.

It is expected that questions may arise concerning the interpretation of the prohibition against sexual harassment, the methods and procedures to be followed in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, an aggrieved person may contact the Superintendent's office.

#### Student Conduct Policy (Summary Board Policy 5114)

The Board of Education affirms the right of every student to attend a school that is safe and secure. Therefore, the district, schools, students, parents/ guardians and community have an obligations to promote mutual respect and safe, harmonious relations that support dignity and equality.

Gilroy Unified will not tolerate any gestures, comments, threats or actions, written, verbal, or physical, which cause or threaten to cause personal degradation or bodily harm. However, the district does not discourage discussion or controversial issues and ideas within the educational setting, nor will they subject any student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that is protected by the first amendment to the United States Constitution.

The Board requires that staff follow school procedures for reporting and consequences of all observed incidents of harassment, intimidation, bullying or other verbal or physical abuse, regardless of the perceived severity of such acts. Therefore, staff shall review yearly, the sites' procedures relating to such incidents and be provided with suitable training to identify and appropriately deal with such incidents. This training shall include discussion of the differences between freedom of expression/beliefs and hurtful or hateful language/actions. School sites are encouraged to develop and share resources for maintaining a safe and hate-free school environment.

Students are encouraged to report all incidents of harassment, intimidation, bullying or other verbal or physical abuse. Any student who feels that s/he is a victim of such behavior shall immediately contact the principal or designee. If the student believes the situation has not been remedied by the principal or designee, she/he may file a complaint in accordance with district procedures. As detailed in Board Policy 5144.1, students who commit such gestures, comments, threats or actions, written, verbal, or physical, which cause or threaten to cause personal degradation or bodily harm, will be subject to suspension and/or expulsion or other disciplinary methods as deemed appropriate by the school site principal, or designee, and as provided in Education Code 48900.

#### **Suspensions/ Expulsions**

Suspension will be imposed only when other means of correcting a student's conduct fail. The following outlines the types of suspensions a student may receive. For further information, contact the student's school Attendance Office.

### Teacher Suspension

A student may be suspended from class for the rest of the day and the next day by the teacher who will report the suspension to the principal and send the student to the principal or designee for appropriate action. As soon as possible, the teacher will telephone or write to the parent/guardian requesting a parent/teacher conference. A school counselor or psychologist may attend, and the parent/guardian or the teacher may request that an administrator attend the conference.

During the suspension, the student may not return to the teacher's class without the consent of the teacher and the principal. If the student has other classes during the day, the suspension only applies to other classes at the same time as the suspended class. If the student has violated Education Code 48900 (i) or (k), the teacher may require the parent/ guardian to attend a portion of the school day in the student's classroom.

### Principal Suspension

The principal may suspend a student from 1-5 days per event, up to 20 days per school year, if the principal determines the student has committed any of the acts in Section 48900 (a) – (p) or the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. The student may be suspended if the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the principal or superintendent within any other school district(s), including but not limited to:

- While on school grounds
- While going to or coming from school
- During the lunch period whether on or of the school campus
- During, or going to, or coming from a school-sponsored or school-related activity.

An informal conference will be held by the principal or designee with the student and, whenever practical, the person who referred the student for suspension. The purpose of the conference is to inform the student of the reason for the suspension and the evidence against him/her and to give the student an opportunity to present his/her version and evidence. Unless the student waives his right to the conference or is physically unable to attend, the conference will be held within 2 school days. The conference may be omitted if it is determined that there is a clear and present danger to the lives, safety or health of students or school personnel.

At the time of suspension a school employee will make a reasonable effort to contact the parent/ guardian in person or by telephone. A notice in the primary language of the parent/guardian (if it is practicable) will be mailed requesting that the parent/guardian attend the conference and listing the rights of the student and parent/guardian.

The suspension and the cause will be reported to the Superintendent. Law enforcement authorities will be notified if there was assault with a deadly weapon or force likely to produce great bodily harm.

The school will refer a recommendation for expulsion to the Expulsion Coordinator who will notify the parent.

### **Summary of Grounds for Suspension or Expulsion (Summary §48900)**

As per Education Code 48900, parents, guardian and students are hereby notified that in schools of the Gilroy Unified School District a student may be suspended, receive a disciplinary transfer or be recommended for expulsion from school if the principal or designee determines that the student, while on school grounds, or during a school-related activity off grounds, or while walking to or from school, has committed any of the following offenses:

- A. Caused or attempted to cause, or threatened to cause physical injury to another person; or willfully used force or violence upon the person, except in self defense.
- B. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, which is concurred by the principal or the principal's designee.
- C. Unlawfully possessed, used, sold, or otherwise furnished or under the influence of any controlled substance, an alcoholic beverage, or an intoxicant of any kind.
- D. Unlawfully offered, arranged, or negotiated to sell any controlled substance, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage or intoxicant.
- E. Committed or attempted to commit robbery or extortion.
- F. Caused or attempted to cause damage to school property or private property.
- G. Stole or attempted to steal school property or private property.

- H. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his/her own prescription products.
- I. Committed an obscene act or engaged in habitual profanity or vulgarity.
- J. Unlawfully possessed or unlawfully offered, arranged or negotiated to sell any drug paraphernalia.
- K. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- L. Knowingly received stolen school property or private property.
- M. Possessed an imitation firearm, meaning a replica of a firearm as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- N. Committed or attempted to commit specified acts of sexual assault or committed sexual battery.
- O. Harassed, threatened or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- P. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- Q. Engaged or attempted to engage in hazing.
- R. bullying and cyber-bullying

For more information on the suspension and expulsion process for students, contact the Expulsion Coordinator or visit the GUSD website.

#### **Additional Grounds for Suspension or Expulsion**

Education Code 48900.2 (Grades 4 -12) Committed sexual harassment such as gestures, verbiage, or unsolicited, inappropriate touching as defined in Section 212.5

Education Code 48900.3 (Grades 4 – 12)

Caused or attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233. Education Code 48900.4 (Grades 4 – 12) Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school district personnel or pupils by creating an intimidating or hostile educational environment.

Education Code 48900.7 (Grades K – 12) Making terrorist threats against school officials or school property or both; “terrorist threat”

shall include any statement, written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.

The district is required to expel from school for a period of not less than one year a student who is determined to have possessed a firearm, brandished a knife at another person, committed sexual assault or battery, or sold a controlled substance while at school. In addition, any student who commits one of the aforementioned violations will be referred to the criminal justice or juvenile delinquency system.

(Summary §48900.1)

The governing board of each school district shall adopt a policy authorizing teachers to provide that the parent or guardian of a pupil who has been suspended by a teacher for reasons specified in subdivision (i) or (k) of Section 48900, attend a portion of a school day in his or her child’s or ward’s classroom. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended.

According to Labor Code Section 230.7, no employer shall discharge or in any manner discriminate against an employee who is the parent or guardian of a pupil for taking time off to appear in the school of a pupil pursuant to request made under Section 48900.1 of the Education Code. Labor Code section 230.8 further states that no employer, who employs 25 or more employees working at the same location, shall discharge or in any way discriminate against an employee who is a parent or guardian of any child in

kindergarten or grades 1 to 12, inclusive for taking off four hours each school year, per child, to visit the school of the child, if the employee, prior to taking the time off, gives reasonable notice to the employer of the planned absence of the employee. An employee shall utilize existing vacation, personal leave, or compensatory time off for purposes of this planned absence, unless otherwise provided by a collective bargaining agreement.

#### **Suspension/Expulsion of Special Education Students**

As student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities. Students with disabilities may be suspended or removed from school for violation of the student code of conduct so long as the removal does not constitute a change in placement

A student who has not been officially identified as a student with disabilities pursuant to IDEA and who has violated the district's code of student conduct may assert the procedural safeguards granted under the administrative regulation only if the district had knowledge that the student is disabled before the behavior that precipitated the disciplinary action occurred.

#### **Zero Tolerance Policy**

In order to protect all students, no school in Gilroy Unified School District will tolerate a student causing physical injury to another person, bringing a weapon to school, selling drugs, committing a sexual assault or sexual battery or committing a hate crime. Any of these actions may result in the student being expelled from the school district. Teachers and administrators work hard to inform students about these rules so that they can avoid violating them.

## **Public Notice of Non-Discrimination Compliance by GUSD**

1. As a matter of principle and as required by Titles VI and VII of the Civil Rights Act of 1964, Title 5 of the California Code of Regulations, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the individuals with Disabilities Act of 1990 and other Federal and State laws, the Gilroy Unified School districts do not discriminate on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or mental or physical disability, in any of its policies, practices or procedures. This non-discrimination policy covers admission, access to, treatment, and employment in District programs and activities, including career-technical education. The lack of English language skills will not be a barrier to admission and participation in the career-technical education or any other District program.

Complaints regarding these areas may be pursued under the District's Uniform Complaint procedure Board Policy 1312.3(a)

2. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity in the Gilroy Unified School District as they conform with Title IX, State Law and CIF regulations. The districts recognize that sexual harassment is a form of sex discrimination.

1. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity in the Gilroy Unified School District as they conform with Title IX, State Law and CIF regulations. The districts recognize that sexual harassment is a form of sex discrimination.

Sexual harassment is prohibited by Board Policy 5145.7 (a – c). Complaints with respect to sexual harassment may be filed pursuant to Board Policy 5145.7 9 (a).

2. Career-technical education programs are offered in several industry sector areas. These programs are funded in part with the Carl D. Perkins Vocational Education funds and other grants. There are no admission requirements for introductory courses in these programs. Lack of English is not a barrier to enrollment in career-technical education courses. Any questions regarding these programs, including admission requirements, should be directed to the school principal or the Educational Services Division.

3. The district staff person who oversees District compliance with all nondiscrimination provisions is the Assistant Superintendent.

4. Students, parents or guardians, or any other individual having questions or concerns regarding the nondiscrimination policy of the Gilroy Unified School District or the filing of discrimination complaints should contact the District-wide Compliance officer for particular nondiscrimination policies listed below:

- Gender Equity – Human Resources
- Sexual Harassment – Human Resources
- Section 504 – Student Services
- \*Other – Educational Services

\*\*e.g., race, national origin, ancestry, ethnic group identification, religion, creed, age, sex, color, immigration status, physical or mental disability, marital or parental status.

5. For assistance in determining the application of the District's policies on nondiscrimination or in pursuing informal resolution of complaints please contact the Assistant Superintendent of Human Resources at 669-205-4010.

6. When requested, the Superintendent's office will provide referrals to outside agencies such as EEOC or DFEH (as to employment) or OCR (as to students or employees).

## **Uniform Complaint Procedures (BP 1312.1- 1312.4)**

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by a local educational agency of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

This document presents information about how the Gilroy Unified School District processes UCP complaints concerning particular programs or activities in which we receive state or federal funding. A 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 and charging pupil fees for participation in an educational activity. 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 noncompliance with laws relating to pupil fees. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, the Gilroy Unified School District shall assist the complainant in the filing of the complaint.

Programs and activities that are subject to the UCP in which the Gilroy Unified School District receives state or federal funding 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
- Consolidated categorical aid programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, 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 conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial

assistance.

- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district
- Every Student Succeeds Act
- 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

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A standardized notice of the educational rights of foster and homeless youth, as specified in Education Code Sections 48853, 48853.5, 49069.5, 51225.1, and 51225.2 will be posted. This notice shall include complaint process information, as applicable.

This document also applies to the filing of complaints which allege unlawful discrimination, harassment, intimidation, and bullying against any protected group as identified under Education Code section 200 and 220 and Government Code section 11135, including those with actual or perceived characteristics as set forth in Penal Code 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 conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse shall be referred to County Dept of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
2. Health and safety complaints regarding a Child Development Program shall be referred to Dept of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
3. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Dept of Fair Employment and Housing (DFEH).
4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

#### **The responsibilities of the Gilroy Unified School District**

The Gilroy Unified School District has the primary responsibility to insure compliance with applicable state and federal laws and regulations. The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation, bullying and charging pupil fees for participation in an educational activity and seek to resolve those complaints in accordance with the outlined UCP procedures.

In regards to complaints of noncompliance with laws relating to pupil fees, if the Gilroy Unified School District finds merit in a pupil fees complaint a remedy shall be provided to affected pupils, parents, and guardians that, where applicable, will include reasonable efforts by the Gilroy Unified School District to ensure full reimbursement to all affected pupils, parents, and guardians.

The district's UCP policies shall ensure that the district will attempt in good faith by engaging 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.

These policies shall ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, and bullying remains confidential as appropriate. The district submitted UCP policies and procedures to the local governing board for approval and adoption on May 28, 2015.

The person responsible for receiving and investigating complaints and ensuring compliance with state and federal laws and regulations is:

Name or title: Assistant Superintendent Unit or office: Human Resources  
Address: 7810 Arroyo Circle, Gilroy, CA 95020 Phone Number: (669) 205-4010

The person above responsible for compliance and/or investigations is knowledgeable about the laws/programs that he/she is assigned to investigate. Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school.

The district shall ensure annual dissemination of a written notice of the LEA's complaint procedures to students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties that includes information regarding unlawful pupil fees. The UCP Annual Notice will be provided in writing to all of the six required groups each year and will include information on how to appeal to the CDE. 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.



The notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees. This notice shall be in English, and when necessary, in the primary language, pursuant to Education Code section 48985, or mode of communication of the recipient of the notice.

A copy of the UCP complaint policies and procedures document shall be available free of charge.

Complainants are advised that civil law remedies, including, injunctions, restraining orders, or other remedies or orders may also be available at any time. Complainants have the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. This information will be made available in informational materials.

#### **Filing a complaint with the Gilroy Unified School District**

Except for Williams Complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies or misassignments, and complaints that allege discrimination, harassment, intimidation, and bullying, any individual, public agency or organization may file a written complaint with the district superintendent or his or her designee alleging a matter which, if true, would constitute a violation by the LEA of federal or state law or regulation governing a program. A complaint of noncompliance with laws relating to pupil fees may be filed with the principal of a school under the Uniform Complaint Procedures and may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.

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

An unlawful discrimination, harassment, intimidation or bullying complaint 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.

The time for filing a discrimination, harassment, intimidation or bullying complaint may be extended in writing by the district superintendent or his or her designee, upon written request by the complainant setting forth the reasons for the extension. The period for filing a discrimination, harassment, intimidation or bullying complaint may be extended by the superintendent or his or her designee for good cause for a period not to exceed 90 calendar days following the expiration of the six month time period. The superintendent shall respond immediately upon a receipt of a request for extension.

The complaint shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, harassment, intimidation, and bullying or by one who believes an individual or any specific class of individuals has been subjected to discrimination, harassment, intimidation, and bullying prohibited by this part.

An investigation of a discrimination, harassment, intimidation, and bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process.

Except for Williams Complaints and Pupil Fees complaints, within 60 calendar days from the date of the receipt of the complaint, a complete investigation of the complaint in accordance with UCP policies and procedures will be conducted and a written decision prepared; also known as a final report. This time period may be extended by written agreement of the complainant.

The investigation shall include an opportunity for the complainant, or the complainant's representative, or both, to present the complaint(s) and evidence or information leading to evidence to support the allegations of non-compliance with state and federal laws and/or regulations.

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 Gilroy Unified 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.

A decision will be issued based on the evidence. The decision shall be in writing and sent to the complainant within 60 calendar days from receipt of the complaint by the local educational agency. The decision should contain:

- (i) the findings of fact based on the evidence gathered,
- (ii) conclusion of law,
- (iii) disposition of the complaint,
- (iv) the rationale for such disposition,
- (v) corrective actions, if any are warranted, notice of the complainant's right to appeal our LEA Decision to the CDE, and
- (vi) procedures to be followed for initiating an appeal to the CDE.

Nothing in this document shall prohibit anyone involved in the complaint from utilizing alternative methods to resolve the allegations, such as mediation, nor prohibit anyone from resolving complaints prior to the formal filing of a written complaint. Mediation is a problem solving activity whereby a third party assists the parties to the dispute in resolving the complaint.

Federal and State Laws cited:

1. 34 Code of Federal Regulations [CFR] §§ 300.510-511
2. California Code of Regulations [CCR] Title 5 §§ 4600–4687
3. California Code of Regulations [CCR] Title 5 § 4610(b)
4. California Code of Regulations [CCR] Title 5 § 4622
5. California Code of Regulations [CCR] Title 5 §§ 4630-4631
6. California Education Code [EC] §§ 200, 220, 262.3
7. California Education Code [EC] §§ 234 – 234.5
8. California Education Code [EC] § 35186
9. California Education Code [EC] § 48985
10. California Education Code [EC] §§ 49010 - 49013
11. California Government Code [GC] §§ 11135, 11138
12. California Penal Code (PC) § 422.55

## **Additional Information for Parents, Guardians, and Students**

### **Electronic Network Access - Student**

Before a student may use an electronic network information resource in the school, the parent and student must agree to the Terms and conditions as described in the **ACCEPTABLE USE AND INTERNET SAFETY AGREEMENT**.

This agreement needs to be signed by both student and parent/guardian. The agreement highlights proper use of the computer and other electronic resources in accordance with Board Policy 6163.4 Please Note: This agreement is part of the forms included in this Information Handbook.

### **Health/Communicable Disease Control and Immunization of Pupils (§49403)**

a) Anything to the contrary notwithstanding, the governing board of any school district shall cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in school age children. For that purpose the board may use any funds, property, and personnel of the district, and may permit any person licensed as a physician and surgeon, or any person, licensed as a registered nurse acting under the direction of a supervising physician and surgeon as provided in subdivisions (b) and (c), to administer an immunizing agent to any pupil whose parents have consented in writing to the administration of such immunizing agent.

b) A registered nurse, acting under the direction of supervising physician and surgeon, may perform immunization techniques within the course of a school immunization program provided that the administration of an immunization agent is upon the standing orders of a supervising physician and surgeon and in accordance with such written regulations as the State Department of Health may adopt pursuant to Section 303.5 of the Health and Safety Code.

“Supervising physician and surgeon”, as used herein, means the physician and surgeon of the local health department of the physician and surgeon of the school district that is directing the school immunization program.

c) While nothing in this section shall be construed to require the physical presence of the supervising physician and surgeon, the supervising physician and surgeon under whose direction the registered nurse is acting shall require such nurse to:

- 1) Satisfactorily demonstrate competence in the administration of immunizing agents, including knowledge of all indications and contraindications for the administration of such agents, and in the recognition and treatment of any emergency reactions to such agents which constitute a danger to the health or life of the person receiving the immunization; and
- 2) Possess such medications and equipment as required, in the medical judgment of the supervising physician and surgeon, to treat any emergency conditions and reactions caused by the immunizing agents and which constitute a danger to the health or life of the person receiving the immunizations and to demonstrate the ability to administer such medication and to utilize such equipment as necessary.

### **Health/Confidential Medical Services (§46010.1)**

Commencing in the fall of the 1986-87 academic year, the governing board of each school district shall, each academic year, notify pupils in grades 7 to 12, inclusive, and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardians.

### **Medical & Hospital Services §49472**

The governing board or any school district or districts which does not employ at least five physicians as full time supervisors of health, or the equivalent thereof, may provide, or make available, medical or hospital service, or both, through non profit membership corporations defraying the cost of medical service or hospital service, or both, or through group, blanket or individual policies of accident insurance or through policies of liability insurance from authorized insurers, for injuries to pupils of the district or districts arising out of accidents occurring while in or on building and other premises of the district or districts to and from school or other place of instruction or while at any other place as an incident to school- sponsored activities and while being transported to, from, and between such places. No pupils shall be compelled to accept such service without his consent, or if a minor without the consent of his parent or guardian. The cost of the insurance or membership may be paid, from the funds of the district or districts, or by the insured pupil, his parent or guardian.

Such insurance may be purchased from, or such membership may be taken in, only such companies or corporations as are authorized to do business in California.

#### **Non-Episodic Condition §49480**

The parent or legal guardian of any public school pupil on a continuing medication regimen for non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. The superintendent of each school district shall be responsible for informing parents of all pupils of the requirements of this section.

#### **Prescribed Medications §49423**

(a) Notwithstanding Section 49422, any pupil who is required to take, during the regular school day, medication prescribed for him or her by a physician, surgeon, dentist, physician assistant, or nurse practitioner, may be assisted by the school nurse, trained licensed health professional (i.e. LVN) and designated unlicensed school personnel or may carry and self-administer prescription or over the counter medications if the school district receives and has on file in the school health office the appropriate written statements identified in subdivision (b).

1) In order for a pupil to be assisted by a school nurse, trained licensed health professional, and designated unlicensed school personnel pursuant to subdivision (a), the school district shall obtain both a written statement from the physician detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the statement of the physician.

2) In order for the pupil to carry out and self-administer prescription or over the counter medication pursuant to subdivision (a), the school district shall obtain both a written statement from the physician and surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer prescription or over the counter medication, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffer an adverse reaction as a result of self-administering medication pursuant to this paragraph.

3) The written statements specified in this subdivision shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

(c) A pupil may be subject to disciplinary action pursuant to Section 48900 if that pupil uses prescription or over the counter medication in a manner other than as prescribed.

#### **Refusal to Consent §49451**

A parent or guardian having control or charge of any child enrolled in the public schools may file annually with the principal of the school in which he is enrolled a statement in writing, signed by the parent/ guardian, stating that he will not consent to a physical examination of his child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

#### **Specialized Physical Health Care Services §49423.5**

(a) Notwithstanding the provisions in Section 49422, any individual with exceptional needs who requires specialized physical health care services, as documented by medical care provider, during the regular school day, may be assisted by the following individuals:

1) Qualified persons who possess an appropriate credential issued pursuant to Section 44267, or hold a valid certificate of public health nursing issued by the State Department of Health Services, or

2) Qualified designated school personnel trained in the administration of specialized physical health care provided they perform such services under the supervision of a school nurse, public health nurse, or licensed physician and surgeon.

(b) Specialized health care or other services that require medically related training shall be provided pursuant to the procedures prescribed by Section 49423.

(c) Persons providing specialized physical health care services shall also demonstrate competence in basic cardiopulmonary resuscitation and shall be knowledgeable of the emergency medical resources available in the community in which the services are performed.

(d) "Specialized physical health care services" as used in this section include catheterization, gavage feeding, suctioning, or other services that require medically related training.

(e) Regulations necessary to implement the provisions of this section shall be developed jointly by the State Department of Education and the Department of Health Services, and adopted by the State Board of Education.

### **Health/Vision/Hearing Screening§49455 Students shall have their vision and hearing tested by qualified personnel authorized by the district.**

During the Kindergarten year or upon first enrollment in a California school district of a child at a California elementary school, and subsequently in grades 2, 5, 8. However, a student who is tested upon first enrollment or entry in the district in grades 4 or 7 shall not be required to be appraised in the next immediate year. (Ed Code 49455)

This evaluation shall include a test for visual acuity and color vision; however, color vision shall be appraised only once and only on male children, in grade 1 or later, and the results of the appraisal shall be entered into the student's health record. (Education Code 49455)

Hearing: Each student shall be given a hearing screening at the following times: Kindergarten or grade 1, grade 2, grade 5, grade 8, and upon first entry into a California public school system.

### **Illness of Students**

#### **When to Keep Your Child Home:**

In an effort to help protect our students and staff from unnecessary illness, we request all parent and guardians not to send your child to school if you suspect your child may be ill, and has exhibited any of the following signs and symptoms of illness:

- Elevated temperature of 100 degrees or more in the last 24 hours (students must be fever free for 24 hours without the aid of fever reducing medication before returning to school).
- Vomited (due to suspected illness) with the last 24 hours (keep child home for 24 hours after the last time he/she vomited).
- Experienced repeated episodes of diarrhea in the last 24 hours (keep child home for 24 hours after the last time he/she had diarrhea).
- Chills, loss of appetite, unusual fatigue, and/or lingering headache.
- Significant amount of untreated nasal/throat discharge, particularly if the discharge is yellow or greenish in color.
- Persistent cough productive or non- productive significant sore throat
- Complaint of earache Localized rash or systemic rash of undetermined origin
- Eyes with white or yellow discharge
- Untreated head lice --live insects and/or nits (eggs) closer than 1/4 inch from scalp (child should be treated with appropriate medicated lice shampoo and hair combed or picked through and return to school) - See Current District Head Lice Policy

Keep your child home until 24 hours after the FIRST Doctor notes are requested after 3 days of illness.

#### **Sending Ill Students Home from School:**

A parent, guardian or designated contact will be notified immediately to pick up a child from school who presents any of the following conditions:

- A temperature of 100 degrees or greater with or without acute symptoms
- Signs or symptoms of acute illness (with or without a fever), or serious accident/injury
- Vomiting (not related to single event such as gagging, positioning, mucus, running after eating, or spicy food)
- Diarrhea of two or more loose watery stools
- Localized rash or systemic rash of undetermined origin as a sign of potential illness or communicable disease
- Asthma symptoms that do not respond to prescribed medication or no prescribed medication is available for treatment of asthma symptoms
- Uncontrolled coughing non-productive (unless appropriate medication and doctor's order is on file in health office or parent brings and administers medication), or uncontrolled productive coughing with yellow or greenish phlegm
- Signs/symptoms of pink eye or purulent conjunctivitis
- Diabetic student with a blood sugar of 400 or greater (which is not responding to diabetic care indicated in doctor's orders or Individual Health Care Plan)
- Diabetic student with low blood sugar (exhibiting signs and symptoms of hypoglycemia which are not responding to diabetic care indicated in doctor's orders or Individual Health Care Plan)

According to the assessment of the School Nurse in collaboration with the teacher and/or health services staff, if staying in the classroom is counterproductive to the student's education, or the safety and wellness of others, a decision may be made to send a student home.

The parent/guardian or designated contact will be expected to come pick up the child within an hour or a reasonable time agreed upon with the nurse or school personnel.

In the event of a student medical emergency, school personnel may call 911, and the student may be transported to a medical facility via ambulance. The cost of services provided by ambulance, private physician, clinic, hospital or dentist remain the responsibility of the parent/guardian and will not be assumed by Gilroy Unified School District or school district personnel.

#### **Health/Scoliosis Screening (§49452.5 Summary)**

The governing board of any school district shall, subject to Section 49451 and in addition to the physical examinations required pursuant to Section 100725, 124035, 124090 of the Health and Safety Code, provide for the screening of every female student in grade 7 and each male student in grade 8 for scoliosis. (49452.5)

The governing board or any school district shall provide for the notification of the parent or guardian of any pupil suspected of having scoliosis. The notification shall include an explanation of scoliosis, the significance of treating it at an early age, and the public services available, after diagnosis, for treatment. Referral of the pupil and the pupil's parent or guardian to appropriate community resources shall be made pursuant to Section 49426 and 49456.

#### **Federal Medicaid Reimbursement Notice to Parents/Guardians:**

California Local Education Agency Program

Your school district, in cooperation with the California Department of Health Services and Education, has a program to allow the district to be reimbursed with federal Medicaid dollars for selected health services (such as hearing and vision screening, health assessments) provided to eligible students at school. In accordance with program policy, to receive the federal dollars, the district must receive authorization to share student's health services documentation as well as to make an attempt to bill for services through private health insurance companies by asking parent(s)/guardian(s) for consent to bill.

If you carry private insurance for your student (other than MediCal) and do not wish the district to submit billing inquiries to your insurance carrier, do not initial for numbered item (2) under the "authorization of release of student information & other health coverage inquiries" section. However, it is still important that you read and understand number item (1) under the "authorization of release of student information other health coverage inquiries" section. This section is important because in many health treatment logs used by district personnel, students are listed as part of an ongoing log of activities. While your private insurance will not be billed the school district will need authorization to submit health services logs to our billing vendor. Our vendor holds a contract with

the district that has a specific confidentiality clause to ensure information is not disclosed inappropriately; further, our vendor is HIPPA compliant (Federal Health Insurance Portability Accountability Act).

School health services currently provided to all students will not be changed by your response or lack of response. Students will not be denied services they require to attend school, and parents/ guardians will never be billed for services.

Please complete this form and return it to the address noted below by September 14, 2015. This information is necessary for the school district to participate in the LEA Medi-Cal Billing Option. For further information, call your school district at (408) 847-2700 and ask for Student Services.

**Independent Study Program (9-12)**

**Independent Study**

Participation in the program is voluntary, however a parent request and approval of the referring school administration is required. Students are referred to the program by a comprehensive school for circumstances that require independent study for one or two semesters.

**Instruction in Comprehensive Sexual Health Education/HIV and Aids Prevention (§519389 Summary)**

Participation in the program is voluntary, however a parent request and approval of the referring school administration is required. Students are referred to the program by a comprehensive school for circumstances that require independent study for one or two semesters.

**Health and Hazardous Materials Pesticide and Herbicide Spraying**

The Healthy Schools Act of 2002 (AB2260)

requires all California school districts to notify parents and guardians of pesticides that may be used during the school year. Gilroy Unified expects to use some of these pesticides at school sites in 2020-2021. Spraying will be done on weekends and holidays.

Herbicide	Active Ingredient	Application
Ornamec	Fluazifop-p-butyl	Weed control
Weed Rot	Citric Acid	Weed control
Burn Out	Citric Acid/Clove Oil	
Turf Supreme Plus Trimec	2,4-D	Broadleaf weed control

Insecticide	Active Ingredient	Application
Essentiz	C3 Rosemary Peppermint Oil	Insect control
Termidor	5C Fipronil	Insect control
Nyqard	6R pyrilproxifen 10%	Insect Control
Orange Guard	Orange Peel Extract	Insect Control
Schultz Fogger	Tralomethrin	Insect Control
Suspend SC	Detamethrin	Insect Control

Tri-Die	Pryrethrins, Piperonyl, Butoxide, Silicia Dioxide	Insect Control
Wasp Freeze	Pryrethrins, Piperonyl Butoxide	Insect Control



The City of Gilroy Parks and Recreation Department could possibly use the following pesticides:

Herbicide	Active Ingredient	Application
Round-up Pro	Glyphosate	Weed Control
Surflan A.S.	Oryzalin	Weed Control
Gallery	Isoxaben	Weed Control
Devrinol 50-DFOrnamental Pendulum WDG	Pendamenthalin	Weed Control
Scythe	Pelargonic acids, fatty acids	Weed Control

Insecticide	Active Ingredient	Application
Tri-Die	Pryrethrins, Piperonyl, Butoxide, Silicia Dioxide	Insect control
Wasp Freeze	Pryrethrins, Piperonyl Butoxide	Insect control
Pyronly Crop Spray	d-trans Allethrin Phenothrin	Insect control

More information about these pesticides and pesticide use reduction is available at the Department of Pesticide Regulation’s web site at [http:// www.cpr.ca.gov](http://www.cpr.ca.gov).

Gilroy Unified is already complying with AS2260 by posting provisions for on-site spraying. If you have any questions, please contact the Maintenance and Operations Department at (408) 842-8297.

Under the new law, parents and guardians also have the right to receive prior notification of pesticide applications at the school site. If you would like to be notified at least 72 hours before pesticides are applied at your child’s school site, please fill out the form on page “vi” and return the form to the listed address.

### Health/Nutrition (\$49510 Summary)

Under the Family Nutrition Education and Services Act, the Department of Education, in cooperation with the Department of Social Welfare, has established an ongoing program to assure that the nutritional requirements of pupils in receipt of public assistance are enhanced while the students are attending school. Eligibility is based on an affidavit signed by an adult member of the household and by guidelines established by the Department of Education

### Homeless Student Education Assurances

Under the McKinney-Vento Act, homeless children or youth are defined as those who lack a fixed, regular and adequate nighttime residence. This definition includes children and youth who:

- Live with a friend, relative or someone else because they lost their home and cannot afford housing
- Live in a motel or hotel because they lack adequate alternative accommodations; or live in emergency or transitional shelters, in domestic violence shelters or in another like setting.

It is the intent of the federal legislation, as much as possible, to keep homeless students in the schools they attended when permanently housed or in which they were last enrolled, unless doing so is against the parents’ or guardians’ wishes. Homeless students:

- May stay in those schools the entire time they are homeless and until the end of any academic year in which they move into permanent housing, and
- Must be provided, to the extent feasible, at parent/guardian request, with transportation to and from school, from and to the students’ temporary residences.

Homeless students must be allowed to enroll in school and attend classes even if they do not have all the required medical records

and proof of residency. Personnel at the school of enrollment will work with the parents/ guardians to obtain all required documents.

Please direct any questions related to the education of homeless students to the district's McKinney-Vento Liaison at (669) 205-4000.

#### Local Control Accountability Plan (LCAP)

Each district in California is required to develop a three year Local Control Accountability Plan (LCAP) that describes the district's goals and actions funded with the Local Control Funding Formula (LCFF) to meet the state's priorities. The GUSD LCAP can be found on the district's website.

#### Local Education Agency Plan (LEAP) Local Control Accountability Plan (LCAP)

The Local Control Accountability Plan (LCAP) is a critical part of California's new Local Control Funding Formula (LCFF). It is a three year district plan that is updated annually. The plan describes the district's goals, actions, services, and expenditures to support positive student outcomes. All California school districts are required to develop an LCAP that is built around eight state priorities that include student academic achievement, school climate, student access to a broad curriculum, and parent engagement. The district's budget aligns to these priorities. More information about the district's LCAP and the public input process may be found on the district's website.

#### Megan's Law

Pursuant to Megan's Law (Section 290.4 of the Penal Code), a CD-ROM containing information regarding specified registered sex offenders is available for public viewing at the main office of the local law enforcement agency for this school district. The Legislature has requested that school districts strongly recommend to parents and guardians that they utilize the availability of this information to protect themselves and their children from registered sex offenders in their neighborhood.

#### Military Recruiters

Federal law requires the school district to release directory-type information for secondary students to military recruiters upon request. If requested, Gilroy Unified School District must provide student names, addresses and telephone numbers for eleventh and twelfth grade students. Parents have the option of restricting this information by filling out the Access to Student Records form on page (iv) and returning the form to the student's high school.

#### Professional Qualifications of Teachers and Paraprofessionals

The federal government provided assistance to schools serving students from poverty backgrounds through the Title 1 program. Parents/guardians of students attending Title 1 schools may request information about the professional qualifications of their child's classroom teacher(s). Specifically parents may request information about:

- Whether the teacher is teaching under an emergency or provisional status;
- The teacher's college major, whether the teacher has advanced degrees and, if so, the subject of the degree;
- Whether services are being provided to their student by a teacher's assistant or other professional and, if so, the paraprofessional's qualifications.
- Whether the teacher has met state credential or license criteria for the grade level and subject matter taught.

Parents/ guardians must also be notified if their student has been taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught. Information about teacher qualifications can be obtained at your student's school.

#### Sex Education (§51240)

Whenever any part of the instruction in health, family life education, and sex education conflicts with the religious training and beliefs of the parent or guardian of any pupil, the pupil, on written request of the parent or guardian, shall be excused from the part of the training which conflicts with such religious training and beliefs. As used in this section, "religious training and beliefs" include personal moral convictions. Board Policy 5146

### **Single Plan for Student Achievement (SPSA)**

All GUSD schools have a Single Plan for Student Achievement that outlines specific achievement goals for all students and the actions school and district staff must take to reach those goals as well as the funds that will help achieve this purpose. All SPSA are approved by the GUSD Board of Education and each School Site Council (SSC).

### **School Accountability Report Cards (SARC)**

Detailed information about each school's academic performance, demographics funding, special programs, and more is available in an annual publication called the School Accountability Report Card. Copies are now available for review at your child's school and on the district website at [www.gilroyunified.org](http://www.gilroyunified.org), each fall.

### **School Lunches**

The Governing Board recognizes that students need adequate, nourishing food in order to grow, learn, and maintain good health. The Food Service/Child Nutrition Program analyzes the nutritional value of all school lunches to assure that they meet the nutritional needs of our students and the Dietary Guidelines for Americans.

Beginning in School Year (SY) 2022–23, California will become the first state to implement a statewide Universal Meals Program for school children. California's Universal Meals Program (Universal Meals) is designed to build on the foundations of the federal National School Lunch Program (NSLP) and School Breakfast Program (SBP). There are three key pillars that have been established to ensure that the program is a success:

- Pillar One: California's State Meal Mandate is expanded to include both a nutritiously adequate breakfast and lunch for, not just needy children, but all children each school day.
- Pillar Two: High poverty schools will be required to participate in a federal provision.
- Pillar Three: The California State Legislature allocates funds to provide additional state meal reimbursement to cover the cost of the Universal Meals Program.

One (1) FREE breakfast and one (1) FREE lunch are provided every day at all district schools for all enrolled students. Additional (second meals) are available to students to purchase. Meals prices are as follow:

Elementary prices:

- Breakfast \$ 1.50
- Lunch \$ 3.15
- Milk \$1.00

Adult Prices

- Breakfast \$ 3.25
  - Lunch \$4.50
- 

Middle & High School prices:

- Breakfast \$ 1.75
- Lunch \$ 3.40
- Milk \$1.00

Adult Prices

- Breakfast \$ 3.50
- Lunch \$ 5.00

### **Free and Reduced Price Meal**

Breakfast and lunch will be provided free for all students. However, completing the lunch application will lead to higher funding levels for our schools. Parents/guardians are encouraged to complete a meal application through a confidential application process. A new letter and application outlining the meal program is distributed to all students each year as required by the federal government. Completion of applications is vital for district funding and also a benefit for families for community programs and discounts on utilities. Applications are sent home with each student the first week of school. Only one (1) application is required

per family. In addition, online applications can be submitted through Titan School Solutions web site: [www.family.titank12.com](http://www.family.titank12.com). Applications are accepted anytime throughout the school year. Food Service Staff are readily available to assist in the application process. For information about this program, call Child Nutrition Services at (669) 205-4075.

**Meal Charge Standard Practice:**

Adults are expected to pay cash daily or pay in advance for all food purchases.

Adults are not allowed to charge a meal or a la carte purchase. Adults are encouraged to set up a prepaid account by using the Titan School Solutions program.

The Meal Charge Standard Practice will be distributed in writing in the beginning of every school year. In addition, this information will be given to all newly enrolled students throughout the school year. This information will also be available on the District website under the Child Nutrition Department.

**School Dress Codes**

According to Board Policy, schools may adopt uniform/ common student dress guidelines if the vast majority at that school supports the idea. Schools that adopt a uniform policy also provide financial assistance to those families unable to afford the cost of uniforms.



**Student Incident Insurance**

The school district does not provide medical insurance for students. It does, however, make available low cost plans that families may wish to purchase. Information is available at each school site and on the district website. Title I Program/Program Improvement

**Title I Program/Improvement**

Title I is a federally funded program that provides additional resources to schools with high levels of poverty. Funds at the identified school provide for additional reading and math support, additional materials, teacher training, and, in some cases, counseling.

**Transportation**

Transportation transports an average of 650 students to and from school each day. The vast majority of these students will be bused because they live a long distance from their assigned school of attendance. Gilroy Unified School Board Policy busing requirements are as follows: students must live more than 1 air mile for Elementary students, 2 air miles for middle school students and 3 air miles for High school students. For information contact the Transportation Department at (669)205-7900. All students eligible for Transportation will have an account through TransAct by App-Garden. Parents and students may access their bus information through the App. Parents that have an e-mail account registered with the School District will receive an email from

GUSDbusinfo@gilroyunified.org. Students are given a QR code to check in and out of the bus. The QR code can be printed out, downloaded to a smart phone or a picture on a phone can be used. Students consistently refusing to scan or lose the QR code may be refused service.

In California, home to school transportation is not mandated. Therefore transportation is a privilege. There is no state law requiring districts to provide transportation for regular education. At Gilroy Unified School District we believe that the school bus is an extension of the classroom. The same rules apply, except students may have conversations with their fellow bus riders using an inside voice. The bus is not for play, as this can cause the driver to be distracted by the students and then the driver cannot focus the attention needed on the roadway. Students causing continuous disruptive behavior can lose their bus riding privileges.

As we are in the business of providing a service to our community and our students, safety is our number one priority. With the safety comes a pleasant bus riding experience. Here are the safety rules for Gilroy Unified School District, teachers, parents and students all must follow.

#### Bus Rules

1. Loading and Unloading: All students are to be at their assigned bus stop at least 5 minutes prior to the bus departure time. Once the driver has opened the passenger door, then students may approach the bus to enter or exit. If a student must cross the street on which the bus is stopped, the school bus driver shall escort the students only at the front of the bus. Drivers are responsible for students' safety. All Pre-K and Kindergartners shall be met by an adult. If not present at the bus stop, student will be returned to school. SDC students will need to be met by an adult, unless parent gives written permission annually to Transportation Department allowing for the student to be released unattended at the assigned bus stop.
2. Seating: Once a student has entered the bus, they should go directly to their seat. Backpacks, or personal belongings may be put in the luggage racks, if equipped, or on their lap. Students shall sit with their back against the seat and on their bottom. If the bus has a seat belt system all students are required to wear them while in the bus, per California Code of Regulations Title 5 section 14105 The aisle way and emergency exits shall remain clear at all times. Students shall remain seated at all times while the bus is in motion. Students are to keep all body parts inside the bus at all times. The school bus driver has authority to assign seats California Code of Regulations Title 5 section 14103.
3. Other Pupils: Students are not to harass, disrespect or physically harm another student or their property.
4. Noise Level: Students may not play loud music, scream, yell, whistle, or use inappropriate language on the bus.
5. Animals: Only service, signal or guide animals are allowed on the school bus. This includes school projects.
6. Hazardous Items: Students shall not bring any hazardous items. This includes, glass, , weapons of any type, controlled substances as defined in Ed Code 48915, or chemicals. This would be an expellable offense.
7. Personal Property: Students should keep personal belongings put away. This will ensure that items will not be lost and not cause a distraction. The district is not responsible for items left on the school bus. Students cannot bring items on the bus that would interfere with the comfort of other passengers. This can include but not limited to: balloon bouquets, large project boards that do not fit in the seat, insects, skateboard
8. Food/Eating Student may not eat or bring open beverages on the bus. If student has a medical issue, they should advise the driver and an exception can be made.
9. Some GUSD buses are equipped with video/audio equipment and signs are visible stating such. Footage can be viewed by GUSD personnel or in rare occasions any law officer.

#### Video Security Camera

The Board of Education through policy 5140.3 authorizes the use of video security cameras in district buildings and ground to promote a safe school environment for students, staff and visitors. Appropriate signs will be posted in building entrances and at other locations throughout the school to inform visitors, staff, students and parents/ guardians that video recordings may occur on district property.

#### Parent School Entry

All school gates and doors will be closed and locked after students arrive at school in the morning. Parents requesting to enter the school must use the Intercom located outside the main office next to the front door. Front office staff will assist you.

## Employee Code of Conduct

### Professional Standards

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgement when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, and advanced the goals of the district's educational programs, and contribute to a positive school climate.

(cf. 0200 – Goals for the School District)  
(cf. 4119.1/4219.1/4319.1 – Civil and Legal Rights)  
(cf. 5131 – Conduct)  
(cf. 5137 – Positive School Climate)

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

(cf. 2111 - Superintendent Governance Standards)  
(cf. 9005 - Governance Standards)

Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

(cf. 4112.2 - Certification)  
(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

Inappropriate employee conduct includes, but is not limited to:

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

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 4158/4258/4358 - Employee Security)

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
(cf. 5131.2 - Bullying)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

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

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

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

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

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

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

(cf. 3513.3 - Tobacco-Free Schools)  
(cf. 4020 - Drug and Alcohol Free Workplace)  
(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)  
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

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

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

(cf. 3580 - District Records)  
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 5125 - Student Records)  
(cf. 5125.1 - Release of Directory Information)

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

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. 4040 - Employee Use of Technology)

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

14. Wearing inappropriate attire

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming) An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 4117.4 - Dismissal)  
(cf. 4117.7 - Employment Status Reports)  
(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44242.5 Reports and review of alleged misconduct

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act  
CODE OF REGULATIONS, TITLE 5  
80303 Reports of dismissal, resignation and other terminations for alleged misconduct  
80331-80338 Rules of conduct for professional educators  
Management Resources:  
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS  
California Standards for the Teaching Profession, 2009  
COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS  
Educational Leadership Policy Standards: ISLLC 2008, 2008  
NATIONAL EDUCATION ASSOCIATION PUBLICATIONS  
Code of Ethics of the Education Profession, 1975  
WESTED PUBLICATIONS  
Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003  
WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS  
California Professional Standards for Educational Leaders, 2001  
WEB SITES  
CSBA: <http://www.csba.org>  
Association of California School Administrators: <http://www.acsa.org>  
California Department of Education: <http://www.cde.ca.gov>  
California Federation of Teachers: <http://www.cft.org>  
California School Employees Association: <http://www.csea.com>  
California Teachers Association: <http://www.cta.org>  
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>  
Council of Chief State School Officers: <http://www.ccsso.org>  
WestEd: <http://www.WestEd.org>  
Policy GILROY UNIFIED SCHOOL DISTRICT  
Adopted: November 1, 2012 Gilroy, California





## Gilroy Unified School District Acceptable Use Policy

The District's Acceptable Use Policy ("AUP") is to prevent unauthorized access and other unlawful activities by users online, prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children's Internet Protection Act ("CIPA"). As used in this policy, "user" includes anyone using the computers, Internet, email, chat rooms and other forms of direct electronic communications or equipment provided by the District (the "network."). **Only current students or employees are authorized to use the network.**

The District will use technology protection measures to block or filter, to the extent practicable, access of visual depictions that are *obscene, pornographic, and harmful to minors* over the network. The District reserves the right to monitor users' online activities and to access, review, copy, and store or delete any electronic communication or files and disclose them to others as it deems necessary. Users should have no expectation of privacy regarding their use of District property, network and/or Internet access or files, including email.

### Acceptable Uses of the GUSD Computer Network or the Internet

Schools must verify each year students using the computer network and Internet access for that school year have a signed page acknowledging this policy. Students who are under 18 must have their parents or guardians sign this page and schools must keep it on file. Once signed that permission/acknowledgement page remains in effect until revoked by the parent, or the student loses the privilege of using the District's network due to violation of this policy or is no longer an GUSD student. Employees and other users are required to follow this policy. Even without signature, all users must follow this policy and report any misuse of the network or Internet to a teacher, supervisor or other appropriate District personnel. Access is provided primarily for education and District business. **By using the network, users have agreed to this policy.** If a user is uncertain about whether a particular use is acceptable or something appropriate, he or she should consult appropriate District personnel.

### Unacceptable Uses of the Computer Network or Internet

These are examples of inappropriate activity on the District website, but the District reserves the right to take immediate action regarding activities (1) that create security and/or safety issues for the District, students, employees, schools, network or computer resources, or (2) that expend District resources on content the District in its sole discretion determines lacks legitimate educational content/purpose, or (3) other activities as determined by District as inappropriate.

- **Violating any state or federal law or municipal ordinance, such as: Accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials;**
- **Criminal activities that can be punished under law;**
- **Selling or purchasing illegal items or substances;**
- **Use of Personally Owned Software or Equipment**

1. The District attempts to ensure that all hardware and software meet specific standards and will operate without causing disruption of the District's computer and network resources. Therefore, the use of personally owned software or software that can be downloaded from the Internet as well as personally owned computer hardware is not permitted.

- **Obtaining and/or using anonymous email sites; spamming; spreading viruses;**
- **Causing harm to others or damage to their property, such as:**

1. Using profane, abusive, or impolite language; threatening, harassing, or making damaging or false statements about others or accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
2. Deleting, copying, modifying, or forging other users' names, emails, files, or data; disguising one's identity, impersonating other users, or sending anonymous email;
3. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs, or disrupting any computer system performance;
4. Using any District computer to pursue "hacking," internal or external to the District, or attempting to access information protected by privacy laws; or



## Gilroy Unified School District Acceptable Use Policy

5. Accessing, transmitting or downloading large files, including "chain letters" or any type of "pyramid schemes".

**•Engaging in uses that jeopardize access or lead to unauthorized access into others' accounts or other computer networks, such as:**

1. Using another's account password(s) or identifier(s);
2. Interfering with other users' ability to access their account(s); or
3. Disclosing anyone's password to others or allowing them to use another's account(s).

**•Using the network or Internet for Commercial purposes:**

1. Using the Internet for personal financial gain;
2. Using the Internet for personal advertising, promotion, or financial gain; or
3. Conducting for-profit business activities and/or engaging in non-government related fundraising or public relations activities such as solicitation for religious purposes, lobbying for personal political purposes.

**Student Internet Safety**

1. Students under the age of eighteen should only access GUSDNet accounts outside of school if a parent or legal guardian supervises their usage at all times. The student's parent or guardian is responsible for monitoring the minor's use;
2. Students shall not reveal on the Internet personal information about themselves or other persons. For example, students should not reveal their name, home address, telephone number, or display photographs of themselves or others;
3. Students shall not meet in person anyone they have met only on the Internet; and
4. Students must abide by all laws, this Acceptable Use Policy and all District security policies.

**Penalties for Improper Use**

The use of a District account is a privilege, not a right, and misuse will result in the restriction or cancellation of the account. Misuse may also lead to disciplinary and/or legal action for both students and employees, including suspension, expulsion, dismissal from District employment, or criminal prosecution by government authorities. The District will attempt to tailor any disciplinary action to the specific issues related to each violation.

**Disclaimer**

The District makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from use of the network or accounts. Any additional charges a user accrues due to the use of the District's network are to be borne by the user. The District also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of the District, its affiliates, or employees.

I have read, understand, and agree to abide by the provisions of the Acceptable Use Policy of the Gilroy Unified School District.			
Date:		School:	
Student Name:		Student Signature:	
Parent/Legal Guardian Name:		Parent/Legal Guardian Signature:	

*Please return this form to the school where it will be kept on file. It is required for all students that will be using a computer network and/or Internet access.*



**GILROY UNIFIED SCHOOL DISTRICT**  
**Enrollment Center**

7810 Arroyo Circle, Gilroy, California 95020  
 Tel. 669-205-4000 fax: 408-847-4717  
 www.gilroyunified.org

**SUPERINTENDENT**  
 Dr. Deborah A. Flores, Ph.D.

**BOARD OF EDUCATION**  
 Melissa Aguirre ♦ Enrique Diaz ♦ Tuyen Fiack ♦ Mark Good  
 Michelle Nelson ♦ James E. Pace ♦ Linda Piceno

**2022-2023**  
**Intra-District Transfer Request**  
 (Submit to District Office Only)

Student and Parent / Guardian Information			
Student Last Name			Parent / Guardian
Student First Name			Residence Address
Date of Birth			
Special Services?	IEP	504	Phone Number
	<input type="checkbox"/>	<input type="checkbox"/>	Email
Current School of Attendance			School Requested
Grade Level in 2022-2023 School			
Reason(s) for the Request			
Please check one or more of the reasons for request listed below. Please attach supporting documentation if required.			
<b>GUSD Open Enrollment Priorities</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Parent/Guardian is an employee at school requested (20+ hours per week)</li> <li><input type="checkbox"/> Sibling(s) attending school requested (name of sibling REQUIRED): _____</li> </ul> School Preference(s) <ul style="list-style-type: none"> <li><input type="checkbox"/> Childcare/Transportation</li> <li><input type="checkbox"/> Already attending school</li> <li><input type="checkbox"/> Other (attach separate document stating reason for transfer request)</li> </ul>			
Signature of Parent/Guardian:			Date:
Please note the following regarding our Transfer Request process: <ul style="list-style-type: none"> <li>• <b><u>INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED.</u></b></li> <li>• Intradistrict transfer requests are accepted between December 31<sup>st</sup> and April 1<sup>st</sup> for the following school year, and approvals are subject to student enrollment and available space.</li> <li>• Transfer requests for elementary schools will be processed by the end of the second week of the 2022-2023 school year.</li> <li>• The District retains the right to maintain appropriate balances among schools.</li> <li>• Although we try to keep siblings together when possible, approval of one sibling does not guarantee approval of subsequent sibling transfer requests.</li> <li>• Approved intra-district transfer requests automatically renew each year.</li> <li>• Approved intra-district transfer requests remain in effect until the student finishes the last grade for the school requested.</li> <li>• Transportation will be not provided under this request.</li> <li>• Student <u>must</u> be currently enrolled, attending school and have a verified address on file for consideration.</li> </ul>			
District Office Use Only			
Decision	Approved	Denied	Signature
	<input type="checkbox"/>	<input type="checkbox"/>	
Wait List	Yes	No	Reason
	<input type="checkbox"/>	<input type="checkbox"/>	



**INTERDISTRICT TRANSFER REQUEST**

*For students living within GUSD boundaries who want to attend schools in other districts*

<b>GUSD School of Residence</b>	<b>For School Year</b>	<b>Grade</b>	<b>Request Type</b> [ ] New [ ] Renew
<b>Requested District</b>		<b>Desired School</b>	
<b>STUDENT AND PARENT/GUARDIAN INFORMATION</b>			
Student: _____ Birth date: _____ Grade Today: _____			
Does the student receive special services? [ ] Yes [ ] No			
<b>REQUIRED:</b> If yes, indicate which type & attach copy of current IEP [ ] 504 Plan [ ] Speech [ ] Special Day Class [ ] Resource Specialist Program [ ] Other: _____			
Parent / Guardian: _____			
Home Address: _____			
Contact Phone: _____ Email: _____			
<b>REASON(S) FOR REQUEST</b>			
Check one or more of the reasons for the request listed below. <b>ATTACH ALL SUPPORTING DOCUMENTATION TO THIS REQUEST.</b> <b>IMPORTANT:</b> <i>Failure to provide required documentation may delay processing of this request.</i>			
[ ] <b>EMPLOYMENT WITHIN REQUESTED DISTRICT.</b> <b>Required documentation:</b> Copy of pay stub or employment-verification letter.			
[ ] <b>CHILD CARE: K-6 ONLY.</b> <b>Required documentation:</b> Verification from provider on letterhead or with name and contact information.			
[ ] <b>RECENT CHANGE OF RESIDENCE.</b> <i>Date of move, within last 12 months ONLY:</i> _____ <b>Required documentation:</b> Utility bill or rental agreement/mortgage statement that lists former address from within last 12 months ONLY.			
[ ] <b>8th- / 12th-GRADE PRIVILEGE</b>			
[ ] <b>INSTRUCTIONAL PROGRAM:</b> _____			
[ ] <b>OTHER.</b> <b>Required documentation:</b> Letter from counselor, psychologist, doctor, etc., OR letter explaining reasons for request.			
<b>PARENT / GUARDIAN STATEMENT</b>			
In making this request, I understand the following conditions: 1) approval by both districts is required; 2) the district requested may investigate the student's attendance, behavior, and academic records before acting on the request. <i>If granted, this permit will be in force for one (1) year and will remain in force only if the student meets the attendance, behavior, and academic requirements of the district requested;</i> 3) if the permit is granted, the student and parent/guardian will be expected to cooperate with school personnel; 4) if the permit is granted, the parent/guardian will be responsible for the student's transportation to and from school; and 5) if the request is denied by the district and all appeal rights have been exhausted in the district, I have the right to appeal the decision to the Santa Clara County Board of Education. I hereby certify that the student and parent/guardian information provided above is accurate and that I understand and agree to the above stated conditions.			
Signature of Parent/Guardian: _____ Date: _____			
<b>DECISIONS OF AFFECTED DISTRICTS</b>			
<b>DISTRICT OF RESIDENCE</b>		<b>REQUESTED DISTRICT</b>	
[ ] <b>APPROVAL</b> [ ] <b>DENIAL</b>		[ ] <b>APPROVAL</b> [ ] <b>DENIAL</b>	
Administrator: _____		Administrator: _____	
Date: _____		Date: _____	
Reason(s) for decision, if denied: _____		Reason(s) for decision, if denied: _____	
_____		_____	

**Request for Individual Pesticide Application Notification**

School Name: \_\_\_\_\_

I understand that upon request, the school district is required to supply information about individual pesticide applications at least 72 hours before application. I would like to be notified before each pesticide application at this school.

I would prefer to be contacted by (circle one): US Mail E- Mail      Phone  
Student (carry home)

Please print:

Name of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Day Phone: (      ) \_\_\_\_\_

Student Name: \_\_\_\_\_

**Access to Student Records – Military Opt Out**

Section 9528 of the No Child Left Behind Act of 2001 (NCLB) Federal law states that a school district receiving funds under this law shall provide, upon request, access to student information to military recruiters and institutions of higher learning. If requested, Gilroy Unified School District must provide names, addresses and telephone numbers of eleventh and twelfth grade students. Under NCLB the law, parents have the right to deny access to student records.

If you do not want you student's personal information released to the military or institutions of higher learning please complete and return the form below by .

- Do not release my student's personal information to the military or institutions of higher learning.
- Do not release my student's personal information to the military
- Do not release my student's personal information to institutions of higher learning.

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date \_\_\_\_\_

Student Signature (if 18 or older): \_\_\_\_\_ Date \_\_\_\_\_

## Academic Honesty Agreement (Summary)

The Gilroy Unified School District's Board Policy 5131.9: The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

Students, parents, guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.

Academic Honesty describes cheating and collusion as the act of obtaining or attempting to obtain credit for academic work by using dishonest means. Cheating and collusion include but are not limited to:

1. Copying, in part or whole, from another's examination, paper (including homework assignments), mathematical calculation(s), research, creative project, etc.
2. Submitting as one's own work an examination, paper, mathematical calculation (s), research or creative project, or the like which has been purchased, borrowed, or stolen.
3. Intentional falsification or invention of data or a source in an academic exercise.
4. Using notes, or materials not specifically authorized by the instructor during an examination.
5. Any collaboration between a student and another person at times or in ways which are not permitted by the instructor.

The following descriptions [from the University of Texas and the University of Exeter] further refine acts of cheating/collusion:

- Using unauthorized books, notes, electronic aids or other materials in an examination.
- Obtaining an examination paper ahead of its authorized release.
- Either aiding or obtaining aid, from another person, where such aid is not explicitly permitted in the assignment.
- Acting dishonestly in any way, whether before, during or after an examination or other assessment so as to obtain or offer to others an unfair advantage in that examination or assessment.
- Allowing someone else to write your papers.
- Allowing someone else to modify your essays in any substantive way.

The Gilroy Unified School District's Board Policy 5131.9 Academic Honesty describes plagiarism as the act of obtaining or attempting to obtain credit for academic work by representing the work of another as one's own (including text found on the internet) without the necessary and appropriate acknowledgment. Specifically, plagiarism is:

1. The act of incorporating the ideas, words of sentences, paragraphs, or parts thereof without appropriate acknowledgement and representing the product as one's own work.
2. The act of representing another's intellectual or creative work such as musical composition, computer program photograph, painting, drawing, sculpture, research, etc., as one's own work.

The following descriptions [from the University of Texas and the University of Exeter] further refine acts of plagiarism:

- Failing to acknowledge the sources of any information in your paper which is not either common knowledge or personal knowledge.
- Failing to acknowledge direct quotation either by using quotation marks when quoting short passages or indentation when quoting longer passages.
- To closely paraphrasing the original works of your source.
- Borrowing the ideas, examples or structure of your source without acknowledging it.
- Taking, buying or receiving a paper written by someone else and present it as your own.
- Using one paper for two different courses, or re-using a paper previously submitted for credit, without the prior approval of both instructors.
- Direct copying of text from a book, article, fellow student's essay, handout, web page or other source without proper acknowledgment.

- Claiming individual ideas derived from a book, article, etc., as one's own and incorporating them into one's own and incorporating them into one's work without acknowledging the source of these ideas.
- Overly depending on the work of one or more without proper acknowledgement of the source, by constructing an essay, project, etc., by extracting large sections of text from another source, and merely linking these together with a few of one's own sentences.

*The Gilroy Unified School District's Board Policy 5131.9: The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.*

*Students, parents, guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.*

I have read and understand the above descriptions and illustrations of cheating, collusion and/or plagiarism and I agree to not engage in any of these acts as a student enrolled in the Gilroy Unified School District.

Student Name (Please Print)	Student Signature	Student Number
Parent/Guardian Signature		Date

**Student Information**

LEA Code (to be completed by district) \_\_\_\_\_

Student Name \_\_\_\_\_ Student Date of Birth \_\_\_\_\_

Parent/ Guardian Name: \_\_\_\_\_

**Student Insurance Information**

Student's health insurance coverage is provided by: \_\_\_\_\_

Name of Policy Holder: \_\_\_\_\_

Student's health insurance policy number and group number are: \_\_\_\_\_

Health Insurance Carrier Claims Address: \_\_\_\_\_

**Authorization for Release of student information & other health coverage inquiries** Please indicate your initials for items 1 & 2, as you deem appropriate, and sign and date below:

1. \_\_\_\_\_ I, the undersigned, do hereby authorize Gilroy Unified School District to provide health services information from the above named child's education/medical record in order to participate in the LEA Medi-Cal Billing Option Program. Requested information shall be limited to health services documentation. Further, I authorize the release of any health services information provided by the school district to the billing agent and to Medi-Cal if applicable to process the claim.

2. \_\_\_\_\_ I, the undersigned, consent to submission of claims to my insurance carrier for payment of fees for services provided to my child. I authorize my insurance carrier to communicate directly with, and make payments to my schooldistrict.

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Gilroy Unified School District**  
**Williams Complaint Procedure Form**  
**For *Education Code* Section 35186 Complaints**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?  Yes  No

Contact Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Location of the problem that is the subject of this complaint: \_\_\_\_\_

School: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

**Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.**

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.



- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)

- A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
- A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.
- A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

---

---

---

---

---

---

---

---

---

---

Please file this complaint at the following location:

Paul Winslow, Assistant Superintendent, Human Resources  
7810 Arroyo Circle  
Gilroy, CA 95020  
paul.winslow@gilroyunified.org

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)