



2023-2024

Annual Notification to Parents and Guardians

District Office

708 South Miller
 Santa Maria, CA 93454
 (805) 928-1783

www.smbds.org

State & Federal Programs and Migrant Services Program Ext. 8217

Teaching & Learning Ext. 8152

English Learners Ext. 4624

Gifted and Talented Education . . . Ext. 8284

Student and Family Ext. 8141

Special Education Ext. 8180

District Schools

Adam 361-6700	El Camino Jr High 361-7800	Miller 361-7560
Alvin 361-6760	Fairlawn 361-7500	Oakley 361-7620
Arellanes 361-6860	Jiménez 361-4340	Ontiveros 361-7680
Arellanes Jr High 361-6820	Kunst Jr High 361-5800	Rice 361-7740
Battles 361-6880	Libbon 361-6500	Sanchez 361-4625
Bonita 361-8290	Liberty 361-4530	Taylor 361-6250
Robert Bruce 361-6940	Fesler Jr High 361-7880	Tunnell 361-7940

A Message from the Superintendent

We are happy to have you and your child join us for another year which promises to be full of opportunities for educational and personal growth. The district provides this Annual Notification to Parents (ANTP) handbook to you to help you understand the rules and policies which make our 21 schools positive places for students and staff. It is important that you read the ANTP handbook. You will then know the behavior we expect from your child and others and how you and your child can expect to be supported by our district. If everyone observes the guidelines found inside this document, I know that the coming year will be a successful one for us all.

Thank you for entrusting your child’s education to the Santa Maria-Bonita School District.

You can acknowledge receipt via the Aeries Parent Portal or via ParentSquare.

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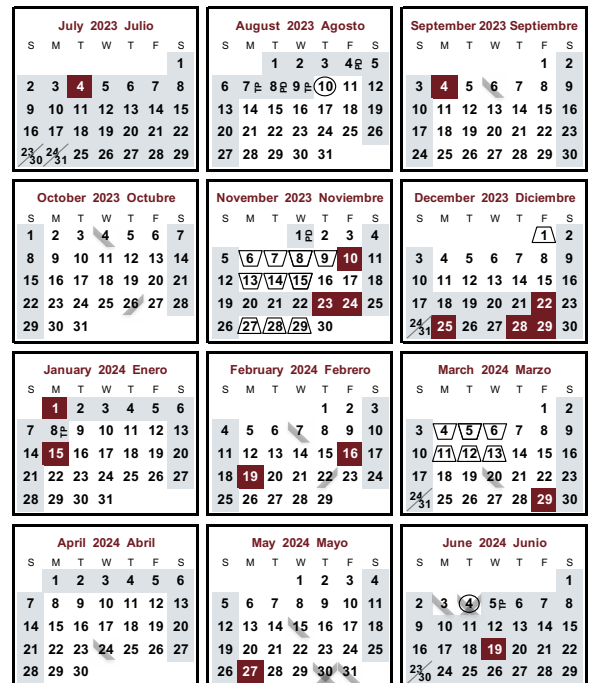
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Important Dates

August 10	First day of school
September 4	Labor Day
November 6-15	Parent conferences (Elementary)
November 10	Veterans Day
November 27-29, December 1	Parent conferences (Jr High)
November 20-24	Thanksgiving Break
December 18 - January 7	Winter Break
January 15	ML King, Jr Day
February 16	Lincoln's Day (observed)
February 19	Presidents Day
March 4-6	Parent conferences (Elementary)
March 11-13	Parent conferences (Jr High)
March 29 - April 5	Spring Break
May 27	Memorial Day
June 4	Last day of school
June 19	Juneteenth

Reporting Periods TK-8: Nov 3; Mar 1; June 4
 Minimum Days K-6: Oct 26; Feb 22; May 30; Jun 4
 Minimum Days 7-8: Setp 6; Oct 4;
 Feb 7; Apr 24; May 15, 30, 31; Jun 3-4

Calendar dates are subject to change. Please see the District's website for current information.



Jr High Minimum Day
 Jr High Conferences
 Holiday
 Elementary Minimum Day
 Elementary Conferences
 Non-Attendance Day
 Teacher Work Day (TP) or Professional Development Day (PD)
 Approved: 4/18/2023

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

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| <p>BP..... District Board Policy</p> <p>AR..... Administrative Regulation</p> <p>EC..... Education Code</p> <p>HSC..... Health and Safety Code</p> <p>PC..... Penal Code</p> <p>WIC..... Welfare and Institutions Code</p> <p>CCR..... California Code of Regulations</p> <p>CC..... Civil Code</p> <p>FC..... Family Code</p> <p>GC..... Government Code</p> <p>VC..... Vehicle Code</p> <p>BPC..... Business and Professions Code</p> | <p>FAC..... Food and Agriculture Code</p> <p>USC..... United States Code</p> <p>CFR..... Code of Federal Regulations</p> <p>ESEA.... Elementary and Secondary Education Act</p> <p>PPRA.... Pupil Privacy Rights Amendment</p> <p>FERPA... Family Educational Rights and Privacy Act</p> <p>PPACA... Patient Protection and Affordable Care Act</p> <p>Title VI.. Title VI (or VII, or IX) of the Civil Rights Act of 1964</p> <p>IDEA.... Individuals with Disabilities Education Act</p> <p>§ 504.... Section 504 of the Rehabilitation Act of 1973</p> <p>EOA.... Equal Opportunities Act</p> <p>CIF..... California Interscholastic Federation</p> |
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ATTENDANCE

≡ Compulsory Full-Time Education

Each person between the ages of 6 and 18 years, not exempted, is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuing education not exempted shall attend the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the school board in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the district school board in which the residence of either the parent or legal guardian is located. [EC 48200, ne]

Student Responsibilities

Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his teacher and others in authority; observe good order and propriety of deportment; be diligent in study; respectful to his teacher and others in authority; kind and courteous to schoolmates; and refrain from the use of profane and vulgar language. [5 CCR 300]

≡ General Absences

Children cannot learn if they are not in school. Daily school attendance improves student achievement. Children learn early about being on time and not missing school; teach your child that school attendance is an important family value. Children ages 6 to 18 years must attend every school day.

The state only awards funding to school districts for actual attendance. The state does not fund districts for the excused absences listed below. Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

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

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

1. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the

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

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

service is conducted in California and not more than three days if the service is conducted outside California.

5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event.
12. (A) For the purpose of a middle school or high school pupil engaging in a civic or political

event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.

- (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
- (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.

13. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

- B. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- E. For purposes of this section, the following definitions apply:
 1. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 2. "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.
 3. "Immediate family" means the parent or guardian, brother or sister, grandparent, or

any other relative living in the household of the pupil. [EC 48205, 48260]

Districts may allow students, with parental or guardian consent, to be excused to participate in moral or religious exercises or instruction. [EC 46014]

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

☰ **Minimum Days/Pupil Free Staff Development Days**

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. The dates that were known at press time are printed in the calendar in this booklet. [EC 48980]

☰ **Emergency School Closing**

Schools may close in the case of a natural disaster such as an earthquake, a fire, a flood, or an epidemic/pandemic. School officials rely on the expertise and advice of public health and safety officials in these decisions. Other means of delivering instruction will be used as possible.

☰ **Attendance Options**

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Many districts, by agreement, also allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in intra- and inter-district transfers. In some cases, the district must provide transportation. Students attending "persistently dangerous" schools can transfer and enroll in a safe school. Students convicted of a violent felony or convicted of a misdemeanor firearms offense may be transferred to another school in the district. Districts cannot prevent children of active military from changing

districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48204.7, 48206.3, 48300, 48301, 48306, 48853.5, 48980, 49068, 51101; 20 USC 7912]

I. **Interdistrict Attendance**

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

The Board desires that students residing within the district's boundaries attend district schools.

Interdistrict Attendance Agreements ¹

The Superintendent or designee may approve or deny interdistrict attendance agreements with other districts on a case-by-case basis.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts.

The outgoing interdistrict attendance agreement shall be valid for one year, to be renewed on an annual basis and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied.

The Superintendent or designee may deny applications for incoming interdistrict transfers because of overcrowding within district schools or limited district resources.

The Superintendent or designee may approve applications for outgoing interdistrict transfers because of overcrowding within the district's schools or limited district resources.

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the

¹ Applications for incoming interdistrict open enrollment shall be submitted between February 1 and April 1 of the school year preceding the school year for which the transfer is requested.

terms and conditions of the interdistrict attendance agreement.

Transportation

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600.

In addition, upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for any interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available. [BP 5117 March 2020; EC 8151, 41020, 46600-46611, 48204, 48300-48316, 48900, 48915, 48915.1, 48918, 48980, 48985, 52317]

Questions or concerns regarding proof of residence may be directed to the Student Housing Technician, Matthew Cameron at ext. 8278, or the Director of Student and Family Services, Brian Zimmerman at ext. 8141.

2. Intradistrict Open Enrollment

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

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

Enrollment Priorities

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

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

1. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous."
2. Any student who is a victim of a violent crime while on school grounds.
3. Is a victim of an act of bullying committed by another district student, as determined through an investigation following the parent/guardian's submission of a written complaint with the school, district, or local law enforcement agency pursuant to Education Code 234.1
If the district school requested by the student is at maximum capacity, the Superintendent or designee shall accept an intradistrict transfer request for another district school.
4. Is currently enrolled in a district school identified by CDE for comprehensive support and improvement, with priority given to the lowest academically achieving students from low-income families as determined pursuant to 20 USC 6313(a)(3)
5. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances, include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers.
To grant priority under these circumstances, the Superintendent or designee must have received either:
 - a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction

6. Any sibling of a student already in attendance in that school.
7. Any student whose parent/guardian is assigned to that school as his/her primary place of employment.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between February 1 and April 1 of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space.

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

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

Transportation

In general, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

However, upon parent/guardian request, the district shall provide transportation assistance to any student who is eligible for free or reduced-price meals and whose enrollment in a district school outside the student's attendance area is a result of being a victim of bullying. [BP 5116.1 March 2020; EC 200, 35160.5, 35291, 35351, 46600-46611, 48200, 48204, 48300-48316, 48350-48361, 48980; 5 CCR 11992-11994; 20 USC 6311, 6313, 7912]

3. Attendance Where Caregiver Resides

If your child lives in the home of a caregiving adult, as defined by law, or a foster home your

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

4. Attendance in District Where Parent / Guardian is Employed

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

5. Special Enrollment Allowances for Some Categories of Students

Some students, including foster, homeless, migratory, American Indian, or military children, living in the district may stay enrolled in their school of origin inside or outside the district if: 1) their Individual Education Plan (IEP) indicates attendance elsewhere, or 2) parents, guardians, and others with authority declare in writing otherwise. In some cases, they also have rights to expedited enrollment in school, to attend classes and programs, to after-school programs, and to fee waivers. The school district and each school site have complete documentation of the rights of homeless, foster, migratory, military, and other special categories of students. [EC 48204, 48204.7, 48645.3, 48850-48859, 51225.1, 56055; 5 CCR 4622; WIC 224.1, 361, 726; 42 USC 11301, 11431-11435]

Student Immigrant and Religious Rights

All school age children must be admitted to California Public Schools and be offered all programs accessible to other students. School districts cannot ask about a student's immigrant (or migratory) or religious status. The state Attorney General has information about "know your rights": <https://oag.ca.gov/immigrant/resources>. Immigrant students are still considered residents of their

current school district even if parents are deported or are being held in custody. [EC 200, 220, 234.1]

≡ Individualized Instruction

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. If your temporarily disabled child is located outside your school district, notify both the district where your child resides and where the child is located. Within five (5) days of notice, the district(s) will determine if the student qualifies, and within five (5) days of the determination commence instruction in the home or in a hospital or other residential health facility. The district(s) will notify you if your child qualifies, when instruction will begin and for how long it will continue. Each hour of instruction at home or in a facility will count as a full day but cannot exceed 5 days per week nor the number of days in the school year. [EC 48206.3, 48207, 48207.5, 48208, 48980]

Pregnant or Parenting Students

Pregnant or parenting students who are 18 years old or who have permission from their parent/guardian may have excused leave for up to 8 weeks or more without having to complete schoolwork or other requirements, or being subject to penalties. They may return to the same school and courses, and be provided time to make up work. They may choose to attend an alternative program with access to comparable courses, programs and activities. They may have a fifth year to complete high school graduation requirements unless administration determines they are capable of completing graduation requirements in four years. Complaints about these rights can be made using the Uniform Complaint Procedure. [EC 221.51, 46015, 48200, 48980]

≡ Unexcused Absences (truancy)

When a student misses school without an excuse they are considered truant, and the school will notify the parent/guardian. The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. A student is classified as;

Truant: after missing three days of school or three 30-minute periods without a valid excuse

Habitual Truant: if they are truant three or more times in a school year and an effort is made to meet with parents

Chronic Truant: if they miss 10 percent or more of the school days in a school year.

Early intervention and cooperation between the school and the family is the best way to support student learning. A student who is truant can be referred to a student attendance review board (SARB), a community service program, the county probation department, or to the district attorney. Through these programs the student can be given guidance toward improving attendance. The goal is to intervene before a student enters the juvenile justice system or drops out of school. Parents are urged to use community services identified by the school or District, a SARB, the District Attorney, or Probation department. Students and parents face penalties as defined in Education Code, Welfare and Institutions Code, and Penal Code.

Parent Penalties: First conviction – up to \$100 fine; Second conviction – up to \$250 fine; Third conviction – up to \$500 fine. Parents of chronically truant elementary students face a fine up to \$2,000; imprisonment up to one year; or both. They may also be scheduled to meet regularly with district staff and/or referred to community resources. Parents may also have to attend classes at the student’s school for a day and/or personally deliver their child to school every day. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5, 48263.6, 48264.5, 48291, 48293, 48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3]

School Attendance Review Board

If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services if the probation department has elected to receive these referrals. [EC 48263]

≡ Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school

which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

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

INSTRUCTION AND CURRICULUM

≡ Academic Standards and Assessments

Each district in California decides how they will teach and what resources they will use. More information can be found at www.cde.ca.gov/re/cc/. California uses a computer-based student testing system tied to the standards for English language arts, mathematics, and science called the California Assessment of Student Performance and Progress (CAASPP). The tests include the Smarter Balanced Assessment Consortium Assessments, California Science Tests (CAST), California Alternate Assessments (CAA), and Standards-based Tests in Spanish (STS) for Reading/Language Arts. Parents can exempt their child(ren) from CAASPP testing

by submitting a letter in writing annually. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604, 60615; 5 CCR 852]

English Language Learners are evaluated with the English Language Proficiency Assessments for California (ELPAC) and to identify and measure their progress in English Language proficiency. Students in grades 5, 7, and 9 also participate in Physical Fitness Testing (PFT). [EC 52060, 52066, 60800]

≡ Local Control Funding and Accountability

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

The Local Control Accountability Plan (LCAP) is a critical part of the LCFF. Each school district is required to engage parents, students, educators, employees, and the community to establish their plan. The LCAP must focus on eight areas identified as State priorities:

1. Basic Services
2. Implementation of State Standards
3. Parental Involvement
4. Pupil Achievement
5. Pupil Engagement
6. School Climate
7. Course Access
8. Other Pupil Outcomes

The plan must describe the overall vision for students, annual goals including language acquisition, and specific action to achieve these goals. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Anyone can comment about proposals or expenditures to the school board; at parent, student, community engagement meetings; at staff LCAP meetings; or to the district LCAP Advisory Committee. Complaints regarding LCAP may be filed anonymously or using the District Uniform Complaint

Procedures. [EC 305, 47606.5, 47607.3, 52060-52076, 5 CCR 4600, 4622]

≡ Language Acquisition Programs

Language acquisition programs are designed to ensure that English learners acquire English as rapidly and effectively as possible. They provide instruction based on the state-adopted academic content standards, including English language development (ELD) standards.

The District offers a Structured English Immersion program in which nearly all instruction is in English with curriculum and presentation designed for students who are English learners. [EC 305(a)(2), 306(c)(3)]

The District offers a Dual Language Immersion program in which instruction is delivered in both English and Spanish. The program is designed for both English learners and native English speakers to develop as bilingual and biliterate. [EC 306(c)(1)]

Parents/Guardians may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. Parents/Guardians may submit written or verbal requests for the establishment of a language acquisition program in addition to the program available. Schools in which the parents/guardians of 30 pupils or more per school or 20 pupils or more in any grade request a language acquisition program are required to offer such a program to the extent possible. Please contact the District office or your school principal for more information. [EC 306, 310; 5 CCR 11310]

Parents/Guardians have a right to opt their child(ren) out of the school district's language acquisition program or opt out of particular English learner service(s) within a language acquisition program. [20 USC 6312(e)(3)(A)(viii)]

Beginning July 1, 2017, the CA Ed.G.E. Initiative authorizes school districts and county offices of education to establish language acquisition programs for both native and non-native English speakers, and requires school districts and county offices of education to solicit parent and community input in developing language acquisition programs. The purpose of the CA Ed.G.E. Initiative is to ensure that all children in California public schools receive

the highest quality education, master the English language, and access high-quality, innovative, and research-based language programs that prepare them to participate in a global economy. [EC 300(n)]

Home Language Survey (HLS)

California Education Code directs schools to assess the English language proficiency of students. The process determines the language(s) spoken in the student's home. The HLS assists in determining if a student's proficiency in English should be tested. Parents need to respond to four questions; for each question, they write the name(s) of the language(s) that apply. If an error is made on the home language survey, parents may request correction before their student's English proficiency is assessed and the student's language fluency level is determined. [EC 52164.1(a)]

≡ School Counselors

School counselors are trained educators possessing a valid teacher credential with a specialization in pupil personnel services. Counselors help students in grades 7-12 make decisions about their courses, extra-curricular activities, and preparation for college and/or careers. They guide students through all the steps including information about financial aid, academic requirements, and careers. Counseling related to academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities will be available to all students without regard to their gender or gender identity, the gender listed in their records, or any protected group as listed under "Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs" on page 33. Most counselors are available by appointment and will meet with students and their families. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 48980, 49600, 48900, 51229; GC 11135; Title VI, Title IX; § 504; CIF 300D]

≡ District Courses

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may

be reproduced at cost. Parents/Guardians have the right to review all course material. [EC 49091.14, 51101; PPRA]

☰ Curriculum and Personal Beliefs

Whenever any part of the instruction in comprehensive sexual health, sexual abuse, or human trafficking prevention education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. No student shall be penalized, sanctioned, or disciplined for such an excuse, and shall have an alternative education activity available. [EC 51240, 51938, 51950]

Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act. In grades 7-12, this includes comprehensive sexual health education, HIV education, and research findings regarding pupil health behaviors and risks. Students in grades 7-12 will gain a deeper understanding of HIV transmission, prevention, and treatment. They will also be taught about the prevalence of human trafficking and the methods traffickers employ, including social media and mobile devices. During this class, students in grades 7-12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at <https://leginfo.legislature.ca.gov>.

In 5th grade, your child will receive Family Life instruction consistent with the health standards in the Health Education Content Standards for California Public Schools, Kindergarten through Grade 12. This will include introduction to puberty, influences on body image, reproductive anatomy, human reproduction, risk refusal skills, and HIV education.

You will be notified before such instruction. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-

copyrighted material that will be presented by a consultant or guest speaker. You have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. In this district, staff teach these classes and may invite community partners to contribute to lesson content. [EC 51933-51939; ne]

Child Abuse Primary Prevention Program

Parents may refuse to allow their students to participate in a Child Abuse Primary Prevention Program. [WIC 18976.5]

Dissection of Animals

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [EC 32255-32255.6]

Tests/Surveys on Personal Beliefs

You and/or your child(ren) over 18 will be notified before administration of any confidential test, questionnaire, or survey containing questions about your child's, or your personal beliefs, political practices, mental health, anti-social, illegal, self-incriminating, demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility for receiving financial assistance), sex, family life, morality, or religion. You will be asked for written permission except for exempt surveys (in grades 7-12) that are part of sexual health programs or State surveys. Parents may opt their child(ren) out of all surveys, without penalty, including those seeking information to be used in marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to surveys and personal information. Notice will be

sent to parents prior to such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 51938, 60614; 60615; PPRa; 34 CFR 98; ESEA]

≡ **GATE Testing**

All students in grade 2 are tested each year. Thereafter, students may be referred by their teacher for testing. All referrals must be made by calling (805) 928-1783, ext. 8147. [EC 60642.7]

≡ **Exclusion From State Testing**

Parents have the right to have their child excluded from participating in the State Testing Program. Please contact your school principal for more information about the State Testing Program. [EC 60640(a)]

SCHOOL RECORDS AND STUDENT ACHIEVEMENT

≡ **Pupil Records**

Parents, guardians, foster parents, certain caregivers, and students over 18 have the right to review, inspect, and get copies of school records within five business days of a written or oral request or before any meeting regarding an individualized education plan (IEP) or a hearing. Those records are confidential, and privacy will be maintained. Student records are provided to schools where student transfers or wants to enroll. In some instances, information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, and health information. The records are maintained at SMBSO Souza Center by the Director of Student and Family Services. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related

to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District Administrative Regulation 5125 sets forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for ten cents (10¢) per page. If you cannot afford the cost of copies, they will be provided free of charge. With the proper documentation, the records can be changed to reflect a legal change of name and/or gender of a student or a former student. You also have the right to file a written request with the superintendent challenging the records if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, a comment not based on personal observation with time and date noted, misleading information, or a violation of privacy rights. You can file a complaint about how your request was handled with the district or with United States Department of Education. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49060, 49062.5, 49063, 49068, 49069.3, 49070-49079.7, 51101, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99]

Student Data from Social Media Websites

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

≡ **Regulations Regarding Pupil Achievement**

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate

forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student’s ability, citizenship and effort. [EC 49067]

≡ **Filming/Photographs of Students**

Students may be featured through photos, video or other means as representatives of the district. If you do not want your child’s image used, please request a Photo Exclusion Form at your school site.

≡ **Consolidated Programs Notifications**

You will receive an annual notification if your child is participating in state or federal programs established by the Every Student Succeeds Act (ESSA), such as Title I-Part A Schoolwide Program, Homeless Education Program, Title I-Part C Migrant Education Program, Title III English Learners or Title III Immigrant. The notification will include a full description of each program and services available to your child. If you have any questions or concerns, call the Director of Consolidated Projects at (805) 928-1783 ext. 8217. For questions on English Learners, call the English Learner Coordinator at (805) 928-1783 ext. 8173 [20 USC 6319(b)(c): BP 0420, 6171].

≡ **Teacher Qualifications**

A provision of Federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. ESEA; 20 USC 6311; 34 CFR 200.48, 200.61]

≡ **Release of Directory Information**

The law allows schools to release “directory information” to certain persons or organizations including military recruiters. Directory information includes a student’s name, address, telephone information, email address, date of birth, major field of study, participation in officially recognized

activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. You may have the district withhold any of this information by submitting a request in writing. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent. [EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA]

Directory information does not include a student’s social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information also does not include a student’s citizenship status, immigration status, place of birth, or any other information indicating national origin. [34 CFR 99.3]

≡ **School Safety Plan**

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

STUDENT SERVICES

≡ **Wellness Policy**

Any school district that participates in the National School Lunch Program or other federal Child Nutrition program is required to establish a

local school wellness policy for all schools under its jurisdiction. Wellness policies promote student wellness, prevent, and reduce childhood obesity, and provide assurance that school meal nutrition guidelines meet minimum federal school meal standards. The Wellness Policy incorporates nutrition, physical education, health education, health services, social-emotional well-being, safe school environments, employee wellness, and family/community involvement. Parents/Guardians, students, representatives of school food service, physical education teachers, school health professionals, Board of Education, school administrators and the public are invited to participate in the development, implementation, review, and update of the district and school site wellness policies. Anyone interested in participating should contact the district wellness supervisor. [BP 5030 October 2017; EC 49490-49494, 49500-49505, 49510-49520, 49547-49548.3, 49550-49562; 5 CCR 15510, 15530-15535, 15550-15565; 42 USC 1751-1769j, 1771-1793]

Student Meal Program

Santa Maria-Bonita School District participates in the National School Lunch and School Breakfast Programs. Breakfast and lunch are offered to all students every school day at every school site at no charge under the Community Eligibility Provision. A third supper meal is also served at eligible sites at no charge. All meals meet the strict standards of the state and federal child nutrition programs.

The District also participates in the Farm to School program, working with many local farms and farmers to source the best possible fresh ingredients for our program. The program offers nutritiously balance meals with limits on sodium, calories and sugar content. All of our grains and bread products contain at least 51% whole grains. Milk is low in fat and free of antibiotics and added hormones. If you have any questions or concerns regarding your child's meals at school, please contact The Food Services Office at (805) 361-8101. [EC 49510-49520]

Income Surveys

Although all students receive meals free of charge regardless of income level, the District is still required to obtain income information for all

students for state and federal funding. Instead of the free and reduced lunch application, parents are asked to complete an alternative income form. While we know that many families do not qualify, by having everyone fill out the form, we can ensure we are maximizing the benefits to our students and the funding for our school programs. Those extra programs assist all students at the school. Students may automatically qualify based upon any of the following:

- Household meets income guidelines, as set by the federal government;
- Household receives food stamps, Medicaid or CalWORKS;
- Family does not have a residence; or is doubled up
- Child is a participant in the Migrant Education Program.

Earned Income Tax Credit Information Act Communication

Based on your annual earnings, you may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance for Needy Families payments. Even if you do not owe federal taxes, you must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary forms and instructions, contact the IRS by calling (800) 829-3676 or through its website at www.irs.gov.

You may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 2015 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as

the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help filing, contact the Franchise Tax Board at (800) 852-5711 or through its website at www.ftb.ca.gov.

There are many options for notifying households about the EITC which may include in-person, electronic, mail, flyers, or by phone.

For additional information, refer to the IRS EITC web page at <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit> or the California EITC web page at <https://www.ftb.ca.gov/file/personal/credits/california-earned-income-tax-credit.html>.

If you have questions regarding this subject, please contact the IRS by phone at (800) 829-3676 or through its website at www.irs.gov. You can also contact the Franchise Tax Board by phone at (800) 852-5711 or through its website at www.ftb.ca.gov.

≡ Student Use of Technology

The Governing Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

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

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

The federal Child On-line Privacy and Protection Act (COPPA) allows Local Education Authorities (LEA's) such as districts and schools to provide consent on the parent's behalf to create online accounts which may collect student information limited to the educational context and for no other commercial purpose. The district operates under its guidelines to create and manage student online accounts. By law, parents may choose to have their child opt out of this implied parental consent. This may be done in SMBSD by obtaining the Student On-line Account Opt-Out Form from the school office, scheduling a conference with the school principal, and completing and signing the Opt-Out form in the presence of the principal who will counter sign receipt of the form after a discussion about the reasons for and the implications of opting out.

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

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with

Education Code 49073.6 and BP/AR 5125 - Student Records.

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

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

Internet Safety

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

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

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

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

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as

harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. [BP 6163.4 July 2018; EC 49073.6, 51006, 51007, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506; 20 USC 7101-7122, 7131; 47 USC 254; 16 CFR 312.1-312.12; 47 CFR]

School Accountability Report Card

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

Services to Students with Disabilities

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, contact the school. Your child will be evaluated to determine whether

he/she is eligible for free special or modified instruction or services.

Special Education

The California Education Code (Section 56031) defines special education as:

- Specially designed instruction to meet the unique needs of individuals with exceptional needs, whose educational needs cannot be met with modification of the general instruction program; and
- Related services that help individuals with special needs to benefit from specially designed instruction. Special education is an integral part of the total public education system.
- Other features of special education are:
 - It is provided in a way that promotes maximum interaction between students with and without disabilities in a manner which is appropriate to the needs of both
 - Services are provided at no cost to parents
 - It provides a full range of program options to meet the educational and service requirements of individuals with exceptional needs in the least restrictive environment (LRE). The LRE is generally the setting that is most similar to those attended by general education students.

Child Find System

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. The District has policies guiding procedures for identification and referral. Students identified with special needs will receive a Free Appropriate Public Education (FAPE) in the least restrictive environment.

The District recognizes the need to actively seek out and evaluate District residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with State and Federal law. A student shall be referred for special education instruction and services only after the resources of the general

education program have been considered and used where appropriate.

When the District receives a parent request for assessment, the District will ask the parent to submit a written request for assessment. Upon receipt of a parent's request for assessment, the District has 15 calendar days to determine if it will conduct the assessment.

To establish if there is evidence of a suspected disability, the District may request a meeting with the student's parents and teacher or ask for referral information forms to be completed. Once the District has reviewed the referral information, it will send a written notification to the parents indicating whether it will proceed to evaluate the student or it will not evaluate based on lack of evidence of a suspected disability.

If the District denies the parent's request to evaluate, it will send a Prior Written Notice (PWN), that documents the reasons for the decision, inform the parent of his/her right to appeal the denial, and provide the parent with a copy of the District's Parental and Adult Students' Rights and Procedural Safeguards for Special Education.

If the District grants the parent's request to evaluate, it will send an assessment plan that describes the proposed evaluation. If the parent agrees to the proposed assessment plan, the parent should return the signed assessment plan to the District within 15 days. Upon receipt of the signed assessment plan, the District must complete the evaluation and convene an Individualized Education Program (IEP) meeting within 60 calendar days.

The IEP team includes the parent/guardian or his/her representative. At the IEP meeting, it will be determined whether or not the student is a student with disabilities, as defined in the Education Code 56026, and shall discuss evaluation, the recommendations, and the reasons for the recommendations. The District must complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 calendar days of receiving informed parent/guardian consent for the evaluation. [EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10)(A)(ii), 1412(a)(6)(A); 34 CFR

300.15, 300.121, 300.300(a), 300.301(c)(1), 300.304, 300.305, 300.306(a)(2), 300.504(a)(1)]

≡ Pupil Fees

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

Pupil Fees: No fees or deposits can be required or collected for items including, but not limited to, materials, supplies, equipment, uniforms (i.e. band, cheerleading, basketball), lockers, locks, books, class apparatus, musical instruments.

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

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

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

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

HEALTH SERVICES

≡ Immunizations

Documented proof that immunizations are up-to-date is required before attending school; districts may allow "conditional" admittance into schools. Students may not participate in a classroom setting unless they have been fully immunized against diphtheria, hepatitis b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella, tetanus, varicella (chickenpox), and haemophilus influenza type b (preschool only). State immunization requirements may be viewed at www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/School/shotsforschool.aspx.

All new students, advancing students, or students transferring into grades 7-12 must be fully immunized, and will not be admitted without the required booster against pertussis (Tdap) and both varicella immunizations. The required immunizations are available through a usual source of medical care, County Health Department, a school nurse, or may be administered by a health care practitioner acting under the direction of a physician. There may be funds for those who cannot access services. Homeless, foster, migratory, and military youth can be enrolled without proof of immunization for a period of 30 days. [HSC 120325, 120335, 120338, 120375, 120400, 120405, 120410, 120415, 120440, 120480; EC 48216, 48852.7, 48853.5, 49403; 17 CCR 6000-6075; 42 USC 11432(C)(i); ne]

Exemptions

California requires that all exemptions after January 1, 2021 be completed electronically via California Immunization Registry-Medical Exemptions (CAIR-ME). Information about CAIR-ME and the process to receive an exemption can be found at <https://cair.cdph.ca.gov/exemptions/home>. Exemptions prior to January 1, 2021 are valid until the pupil enrolls in the next grade span (through preschool, grades K-6, grades 7-12). Likewise, exemptions based on personal beliefs submitted prior to January 1, 2016 are valid until the pupil enrolls in the next grade span (through preschool, grades K-6, grades 7-12).

If an outbreak of a communicable disease occurs, a non-immunized student will be excluded

from school for their own safety until such a time as directed by health officials or district administration.

Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying your County Health Department. [HSC 120325, 120335, 120338, 120370, 120372, 120372.05; EC 48216]

≡ Physical Examinations

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

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

Santa Barbara County Public Health Department
2115 S. Centerpointe Parkway, Santa Maria, CA
(805) 346-8410.

Dental Screenings

Kindergarten and/or First Grade Oral Health Assessment

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

Parents or guardians must have their child's oral health assessed and have proof of the assessment by May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. [EC 49452.8]

Physical Examinations and Health Screenings including Vision, Hearing, and Dental

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

Vision and hearing screening may be done upon enrollment and in grades Kindergarten, 2, 5, and 8 as mandated by the state of California, and when referred by instructional staff, parents, physicians, etc. based on symptoms suggesting need. In collaboration with local dentists, dental screening may be offered to students in all grades.

These assessments may be administered unless you annually submit a letter denying consent. [EC 44876, 44878, 49451, 49452, 49452.5, 49455; ne]

≡ Medication

Children may take medication, which is prescribed by a physician, and get help from school personnel during the school day if:

1. The district designee has received a form from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication or allow the student to self-administer certain medications. The statement gives permission to communicate with the health care provider or pharmacist, and acknowledges understanding of how the medication will be administered.

Each school determines if it will have staff trained in the use of auto-injectable epinephrine and/or anti-seizure medication.

This includes allowing a school staff member to be trained to identify the need for, and administer epinephrine to a student for anaphylaxis.

The District will have epinephrine auto-injectors at each site to be administered by school nursing personnel or trained volunteers to persons suffering from an anaphylactic reaction. A student with known anaphylaxis risk is encouraged to have his/her prescribed epinephrine auto-injector on site to ensure availability of epinephrine as needed. Other emergency medications that may be administered by volunteer staff trained in identifying the need and administration include glucagon for students with diabetes suffering from severe hypoglycemia or emergency anti-seizure medications for seizures, seizure disorders, and/or epilepsy.

Students are not permitted to possess or carry in a backpack or other container their own medications, including those sold over the counter medications, vitamins, herbs, or alternative medications. Children may carry and self-administer a blood glucometer for testing blood glucose, insulin, glucagon, inhaled asthma medications, and auto-injectable epinephrine if the rules above are met and if a physician confirms in writing that the student is independent in self-monitoring and self-administering the medication. In addition, the parent and student must agree to the conditions set forth in the District Self-Carry Contract, and the student must demonstrate proficiency in being able to self-monitor and self-administer the prescribed medications. [EC 49414, 49414.1, 49414.5, 49423, 49468.2, 49480; ne]

A parent or guardian may administer, by means other than smoking, medicinal cannabis to their child after filing with the school a statement and prescription from a physician. The prescription and any records associated with the treatment of a student are confidential medical records. Full rules are detailed in education code. [BP 5141.21 August 2022; EC 49414.1; HSC 11362.79]

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

☰ Sun Protection

Students when outdoors can wear sun protective clothing, including, but not limited to hats. Students

may also apply sunscreen during the day without a doctor's note or prescription. [EC 35183.5, 35291]

☰ Medical and Hospital Insurance for Students

The district provides limited accident insurance on students for medical and hospital services. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. The school district assumes no liability for accidents to pupils at school. Contact the district office for information. [EC 32221.5, 49472]

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. [EC 49471]

Enrollment in a Health Care Plan

All children and their families must be enrolled in a health care plan. There are several options for getting a health plan; through an insurance agent, or low cost provider such as Medi-Cal and Covered California at (800) 300-1506 or online at www.coveredca.com. [PPACA]

School-Sponsored Athletics

If a student participates in school-sponsored athletics other than physical education or athletic event during the school day, parents/guardians and the student athlete are required to annually; (1) complete a concussion awareness form, (2) complete a sudden cardiac arrest awareness form, and (3) sign a document acknowledging receipt of an Opioid Factsheet received either in print or electronic format. [EC 33479, 49475, 49476]

☰ Access to Mental Health Services

School-based mental health services help address barriers to learning and provide appropriate student and family support in a safe and supportive environment. Reaching out for mental health services is simple; contact your school counselor, nurse, health aide, principal, or the district office. Mental health services may be accessed in the community by contacting Santa Barbara County Behavior Wellness Program at (805) 681-5220. For emergency access to mental health services, call 911 or call the Santa Barbara County Access Line at (888) 868-1649 or Care Solace website at www.caresolace.org. Additional resources can be found by calling 211. [EC 49428; ne]

Suicide Prevention

Suicide is a leading cause of death among youth, and school personnel is often in a position to recognize warning signs. The District makes an effort to reduce suicidal behavior and its impact and has developed strategies to intervene. These may include staff development, student instruction in coping skills, informing parents/guardians, methods for promoting a positive school climate, crisis intervention, and counseling (including for bereavement). Information about district programs and services and links to community and statewide resources are available on the District's website at www.smbds.org. [EC 215, 234.5, 234.6, 49060-49079, 49602, 49604; GC 810-996.6; PC 11164-11174.3; WIC 5698, 5850-5883; BP 5141.52 July 2017; ne]

If your child is in crisis and needs immediate care, call SAFTY at (888) 334-2777 or call 911. Additional resources can be found by contacting the National Suicide Prevention Hotline at (800) 273-8255.

☰ Schools Free of Tobacco, Alcohol, and Drugs

The Board has adopted Tobacco-Free, Drug-Free, and Alcohol-Free campus policies to promote student health and well-being. The District strives for a school environment free of these substances and has prevention and intervention programs. There may be programs through the District or in the community to support students' cessation from use of tobacco, alcohol, or drugs. For more information

please contact the school/district nurse or a school administrator. [EC 51202-51203, 51260-51269; HSC 104420, 11999-11999.3; PC 13864]

☰ Diabetes Information

Diabetes is a health condition that affects how the body turns food into energy. Most food is broken down into glucose (sugar). When sugar increases in your bloodstream, your pancreas releases insulin. Insulin acts like a key to let the sugar into your body's cells to use as energy. When there isn't enough insulin or when cells stop responding to insulin, too much sugar stays in your bloodstream. Over time, this can cause serious health problems such as heart disease, vision loss, and kidney disease. There is no cure for any type of diabetes.

For both types, managing weight, eating healthy food, being active, and getting enough rest can really help. Taking medicine as prescribed, getting diabetes self-management education and support, and keeping health care appointments can also reduce the negative impacts of diabetes.

Type-2 Diabetes:

Type-2 diabetes is when your body can't use the insulin it makes as well as it should. It is the most common form of diabetes in adults, and is becoming more common in children, especially overweight teens. It is estimated that one in three children born in the US after the year 2000 will develop type-2 diabetes.

Type-2 diabetes can be prevented or delayed through lifestyle changes and medical intervention, and it is treatable. Eating healthy foods in the correct amounts and exercising regularly (at least 60 minutes every day) can help children achieve or maintain a normal weight and normal blood glucose levels.

The first step is to visit a doctor who can determine if your child is overweight. A doctor can prescribe medication if appropriate and can order tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (may lead to full onset type-2 diabetes).

Type-1 Diabetes:

Type-1 diabetes is when your body simply doesn't make enough insulin. Type-1 diabetes is not preventable, but it is manageable. It is an

autoimmune disease that may be caused by genetic, environmental, or other factors. It is usually first diagnosed in children or young adults, but it can occur at any age.

Risk Factors:

It is recommended that students displaying or possibly experiencing the risk factors and warning signs below see a doctor to be screened for type-1 and/or type-2 diabetes:

Being overweight: The single greatest risk factor for Type-2 diabetes is excess weight. In the US, almost one out of every five children is overweight. Being overweight more than doubles a child's chance of developing diabetes.

Family history of diabetes: Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.

Inactivity: Being inactive further reduces the body's ability to respond to insulin.

Specific racial/ethnic groups: Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type-2 diabetes.

Age/Puberty: Type-1 diabetes usually occurs in the early years, and before reaching puberty. Type-2 diabetes is more likely to develop during or near puberty, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms:

There are usually warning signs when a child might have diabetes. Not everyone with diabetes develops these symptoms, and not everyone who has these symptoms necessarily has diabetes. Type-2 symptoms generally develop slowly over time. Type-1 symptoms show up quickly – in a matter of weeks or even days, and are much more severe.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired

- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular/No menstrual periods, and/or excess facial and body hair growth in girl
- High blood pressure or abnormal blood fats levels
- For type-1; Nausea, vomiting, and/or stomach pain

Parents/Guardians of children displaying warning signs should immediately consult with the student's primary care provider to determine if screening for diabetes is appropriate. Following a diabetes's diagnosis, parents/guardians should work with the primary care provider to develop a lifestyle and medical treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

Diabetes Screening Tests:

Your doctor may have your child take one or more of the following blood tests to confirm the diagnosis:

Glycated hemoglobin (A1C) test: A blood test measures the average blood sugar level over two to three months

Random (non-fasting) blood sugar test: A blood sample is taken at a random time; this test must be confirmed with a fasting blood glucose test.

Fasting blood sugar test: A blood sample is taken after an overnight fast; a high level on two separate tests indicates diabetes.

Oral glucose tolerance test: A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid.

If the primary care provider thinks your child has type-1 diabetes, blood may also be tested for autoantibodies (substances that indicate the body is attacking itself) that are often present in type-1 diabetes but not in type-2. The child's urine might be tested for ketones (produced when the body

burns fat for energy), which may also indicate type-1 diabetes instead of type-2 diabetes.

More information can be found on these websites: California Department of Public Health, www.cdph.ca.gov; Centers for Disease Control and Prevention, www.cdc.gov/diabetes/; American Diabetes Association, <https://diabetes.org>.

The information provided in this booklet is intended to raise awareness about this disease. Contact your child's primary care provider, school nurse, or school administrator if you have questions. [EC 49452.6, 49452.7; HSC 104250]

≡ Meningitis

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and students living in college dorms. [HSC 120395-120399]

STUDENT BEHAVIOR AND SAFETY

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

Students are encouraged to report anything they see or hear about that might be suspicious or dangerous to a teacher or other staff member. Any staff member that receives such a report will quickly take appropriate action, and the student's identity will remain confidential.

≡ School Rules

Your child will bring home a discipline plan for his/her class for you to read and sign. This information will be reviewed with your child in class. [EC 35291, 48980, 51101]

DUTIES OF PUPILS: Your child is required to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language. [5 CCR 4622]

DUTY CONCERNING CONDUCT OF PUPIL: Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playground or during recess. [EC 44807]

≡ Safe Place to Learn

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites or at any school sponsored activity. School site staff trained in anti-bias shall be made known to students. When safe to do so, District employees must intervene immediately when they see discrimination, harassment, intimidation or bullying. Certificated staff in grades 7-12 get information about helping LGBTQ students. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the District's website at www.smbdsd.org and online at www.cde.ca.gov, www.wested.org/project/california-healthy-kids-survey-chks/.

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer(s) listed on page 34 for assistance. [EC 200, 215, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234, 234.1, 234.4, 234.5, 234.6, 51101, 66250, 66260.6, 66270; CP 422.55, 422.6; 5 CCR 4900; BP 5131.2 February 2020]

≡ Digital Communication Devices

Districts may regulate the possession or use of any cellphone, smartphone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. Students cannot be stopped from using such a device when: there is an emergency; there is a perceived threat of danger; when a teacher or administrator has said it is acceptable; or if it is part of an individualized education program (IEP).

Possession or use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5, 48901.7]

≡ School Uniforms/Dress Code

Dress Code

In accordance with California law, any student who comes to school without being neat and clean may be sent home to be properly prepared for school or required to prepare himself/herself for the classroom before entering. The Santa Maria-Bonita School District has a requirement that all students attending school meet reasonable standards of dress and grooming. These standards will be enforced by the administrators in accordance with State law and the adopted policies and regulations of the Board of Education. Please refer to Board Policy and Administrative Regulation 5132, Districtwide Dress Code and Uniform Policy, Kindergarten Through Eighth. For questions or concerns, please contact your child's principal or assistant principal.

Students are allowed to wear articles of sun-protective clothing, including, but not limited to hats, for outdoor use during the school day. Students may use sunscreen during the schoolday, without a physician's note or prescription. School sites have the authority to establish policy regarding the use of sunscreen. However, clothing articles or hats deemed inappropriate or "gang-related" in accordance with the districtwide dress code may still be prohibited.

Skirts, Shorts and Pants

- No shorts shorter than the fingertips when arms are at the sides.
- No bicycle shorts or similar tight fitting pants such as leotards.
- No overalls with "bibs" worn down.
- No sagging or oversized pants. Pants must be worn at the waist line and stay up without a belt.
- No cut-off pants or shorts with ragged edges or rolled up shorts.
- No extra-long belts worn hanging down or initial buckles.
- No bandannas on body or as clothing attire.

Tops

- No see-through tops or other suggestive clothing.
- No tank tops or crop tops.
- No oversized sweatshirts, sweaters or jackets (below waist).

Shoes

- No sandals, thongs, open-toed or open-heeled shoes.

Hats/Caps

- No caps/hats are to be worn on campus, unless they are worn for the purpose of protection from the sun. See second paragraph, "Dress Code."

Other

- No apparel, jewelry, accessory, notebook, or manner of grooming which, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in gangs or advocates drug use, violence, disruptive behavior, or hate.

Enforcement

The teacher, assistant principal or principal will determine whether a student's dress constitutes an infraction of the dress code. The following action will be taken for each infraction:

1st Offense: Referral to the principal or assistant principal for a conference and parental contact.

2nd Offense: Referral to principal or assistant principal for corrective action and parental notification.

3rd Offense: Referral to principal or assistant principal for corrective action, including discipline.

4th Offense: Referral to principal or assistant principal for corrective actions and request parental conference.

TIP: If unsure whether an article of clothing is appropriate, please don't send your child to school wearing it. Call the school office and check first. If you have other questions, feel free to call the office.

SCHOOL UNIFORMS: See BP/AR 5132 regarding District Wide Dress Code and School Uniform Policy - Kindergarten Through Eighth. For questions

or concerns regarding this policy, please call your school Principal/Assistant Principal. You may also call the Director of Student and Family Services at (805) 928-1783 ext. 8141 for additional questions or concerns regarding this policy.

Board Policy and Administrative Regulation 5132, Districtwide Dress Code and Uniform Policy Kindergarten Through Eight requires:

1. The school site mandatory uniform policy shall be in compliance with State law and Governing Board Policies.
2. Schools requiring students to wear uniforms shall provide annual notice and in cases of economic hardship, the availability of financial assistance in obtaining uniforms.
3. The annual notice shall also indicate and explain that parents/guardians may obtain an exemption from the uniform requirement.

UNIFORMS MANDATORY AT THE FOLLOWING SCHOOLS: El Camino Jr. High and Fairlawn. The status of uniforms at our remaining schools was undetermined at the time this publication went to press due to pending survey results. Therefore, please call your child's school site main office phone number (listed in directory) for direction and guidance. All students are required to comply with the uniform policy unless exempted. Application for exemption are available upon request by mail, telephone or in person from your child's school site.

≡ Safe Gun Storage

Guns are now the third leading cause of death for children in this country. Over 80 percent of teens who commit suicide with a gun used one that belonged to someone in their home. Gun ownership is a right in the US, and it comes with substantial responsibilities. Anyone who reasonably knows a child might access a firearm without permission, loaded or not, is criminally liable for where that firearm is taken, brandished, or how it is used. This includes all school facilities or activities, events, and public places. More Information about gun safety and the safe storage of firearms can be found at <https://oag.ca.gov/firearms/tips>. Those responsible for access to a firearm could lose the right to own a firearm for 10 years, face fines, imprisonment, and civil liability. When there is a threat of a homicide,

school staff shall notify law enforcement. [EC 48980, 48986, 49390, 49391, 49392; PC 25000-25140]

DISCIPLINE

≡ Civility

The District believes that every person deserves to be treated with dignity and respect in their interactions within our School Community. Civility has an impact on effective operations and on the creation of a safe and positive school climate for everyone.

While respecting every individual's right to free speech, that right does not allow for disruption of school classes, activities, meetings, or other events. Students, staff, parents, guardians, and the community are expected to be polite, courteous, respectful, and behave reasonably at all school or district activities and events. Practices that promote civil behavior include, but are not limited to, actively listening, giving full attention, not interrupting, welcoming and encouraging participation by everyone. Civility is hindered by disruptive behavior or speech, violence or the threat of violence, or harassment or bullying of any kind; these behaviors are prohibited and are subject to discipline according to law and District policies. [EC 32210- 32212, 44050, 44807, 44810, 44811, 48900 et seq, 48950; CC 51.7, 1708.9; GC 54954.3, 54957.9; PC 415.5, 422.6, 627.4, 627.7]

≡ Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$23,900 in damages and another maximum of \$13,200 as adjusted annually by the California Department of Education for payment of a reward, if any. With a few exceptions, the school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or

engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child’s classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904, 51101; CC 1714.1; GC 53069.5]

Vandalism

Graffiti and scratching glass or other material on someone else’s property is now considered vandalism and those convicted face fines, imprisonment and the requirement to clean up the damage or perform community service. Parents/Guardians may be liable to pay fines as high as \$10,000 and be required to participate in the clean up. [PC 594-594.8]

≡ Drugs, Alcohol, and Tobacco

Possession or use of illicit drugs (including cannabis), alcohol, or any tobacco product on District premises or at any District activity is strictly prohibited.

A student in possession or under the influence of marijuana (cannabis), concentrated cannabis, or any synthetic cannabinoid is subject to suspension or expulsion. A student under 18 also faces up to forty (40) hours of community service, ten (10) hours of drug education, and sixty (60) hours of counseling; a student 18 or older can be imprisoned for up to six (6) months and/or be fined up to \$1,000. It is illegal for anyone under 21 to possess cannabis or synthetic cannabis.

Possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or 30 hours of community service except for members of the military.

Except for members of the military, possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or thirty (30) hours of community service. Possession of approved tobacco cessation aids is not prohibited. A “tobacco product” is any product made or derived from tobacco or nicotine that is intended for human consumption, including an electronic device that delivers nicotine (commonly known as “e-cigarettes” or “vaping”). [EC 48900, 48901; HSC 11357, 11357.5, 11361, 11362.1, 11362.3, 104495,

104559; PC 308; VC 13202.5; BPC 22950.5, 25608; 20 USC 812, 814]

≡ Impersonation on the Internet

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

≡ Laser Pointer

Possession of a laser pointer by a student on any elementary or secondary school premise is prohibited, unless possession is for valid instruction. [PC 417.27]

≡ Suspensions and Expulsions

You may also request a copy of the district Board policy on suspension and expulsion by contacting your child’s principal or the Pupil Personnel Director at (805) 928-1783 ext. 8141.

≡ Grounds for Suspension or Expulsion

Pursuant to BP/AR 5144.1 and Education Code, a pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of Ed. Code 48900 subdivisions (a) to (r), inclusive:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2

(commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended

for expulsion. This paragraph is inoperative on July 1, 2020.

- (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm

to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil’s physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with the pupil’s ability to participate in or benefit from the services, activities, or privileges provided by a school.

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

- (i) A message, text, sound, video, or image
- (ii) A post on a social network internet website, including, but not limited to: (I) Posting to or creating a burn page. “Burn page” means an internet

website created for the purpose of having one or more of the effects listed in paragraph (1); (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

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

athletic events or school-sanctioned activities.

- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- (w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community. [EC 35291, 48900, 48901.1, 48910; ne]
- Additionally, sexual harassment, hate violence, harassment, intimidation (grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) may be recommended for suspension or expulsion. [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]
- Homework shall be provided for a student suspended for two (2) or more days upon request. Such homework turned in on time that cannot be graded in time, will not be included in the calculation of the pupil’s grade in the class. [EC 48913.5]

≡ **Mandatory Suspension / Expulsion**

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

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

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

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

≡ Student Search

The school principal or designee may search the person of a student, the student's property, vehicle, and District property under the student's control

if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. Searches may be announced or unannounced, and the District may use drug-sniffing dogs if available. Employees shall not conduct strip searches or body cavity searches of any student. [EC 48900-48927, 49050-49051, 49330-49334; PC 626.9, 626.10]

≡ Anti-drug Dogs

The District may use specially trained non-aggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or District policy. The trained dogs may sniff the air around lockers, desks, bags, items, or vehicles on District property or at District-sponsored events. They are not allowed to sniff any pupils. The above inspections may be unannounced. [EC 49350]

≡ Release of a Student to a Peace Officer

If a school official releases your child from school to a peace officer for the purpose of removing them from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [EC 48906; PC 11165.6; WIC 305]

DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES

The District is primarily responsible for compliance with local, state, and federal laws and regulations; has policies and procedures to address allegations of unlawful discrimination, harassment, intimidation, bullying, and complaints alleging violation of laws governing educational programs, activities, and pupil fees. Employees, students, parents or guardians, school and district advisory committee members, appropriate private school officials and other interested parties are advised of the district policies and how to file a complaint if they so desire.

≡ Nondiscrimination / Harassment

This policy shall apply to all acts constituting unlawful discrimination or harassment related to

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

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, 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, language, native language or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts related to school activity or school attendance within a school are under the jurisdiction of the superintendent of the school district.

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

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

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

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

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject

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

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. [BP 5145.3 July 2021; EC 200-262.4, 48900.3, 48900.4, 48904, 48907, 48950, 48985, 49020-49023, 49060-49079, 51500, 51501, 60044; CC 1714.1; GC 11135; PC 422.55, 422.6; 5 CCR 432, 4600-4670, 4900-4965; 20 USC 1681-1688; § 504; Title VI; Title VII; Title IX; 42 USC 6101-6107, 12101-12213; 28 CFR 35.107; 34 CFR 99.31, 100.3, 104.7, 104.8, 106.8, 106.9, 110.25]

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, and to ensure equal access for all students to the educational program, the Superintendent or designee shall implement measures.

The district designates the individual(s) identified on page 34 to coordinate the district's efforts to comply with applicable state and federal civil rights laws, including Title IX, Section 504, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual

or perceived characteristics. [AR 5145.3 July 2021; EC 221.61, 234.1, 48985; 5 CCR 4621]

Sexual Harassment

The Governing Board is committed to maintaining a school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of any student by another student, an employee or other person, at school or at a school-sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists or otherwise participates in the complaint process established in accordance with this policy.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance

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

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of

sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

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

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

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools. [BP 5145.7 April 2018; EC 200-262.4, 48900, 48900.2, 48904, 48980; CC 51.9, 1714.1; GC 12950.1; 15 CFR 4600-4687, 4900-4965; 20 USC 1221, 1681-1688; FERPA; 42 USC 1983; Title VI; Title VII; 34 CFR 106.1-106.71]

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

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

with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

District is committed to equal opportunity for all individuals in education and in employment. The District shall promote programs that ensure non-discriminatory practices in all District activities. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the Districts website at www.smbds.org. You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. If you want further details in this regard, or if you believe your or your child(ren) have been subjected to the above and wish to file a complaint, please contact the District official responsible for compliance with Title V, Title VI, Title IX, § 504, and Uniform Complaints. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law:

Brian Zimmerman
Director of Student and Family Services
708 S. Miller Street, Santa Maria, CA 93454
(805) 361-8141
bjzimmerman@smbds.net

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, technical training, ROP programs and centers, Agricultural Vocational Education, child development, State Preschool, Early Childhood Education Program Assessments, Consolidated Categorical Aid, Economic Impact Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, American Indian Education Centers, Bilingual Education, nutrition services, special education, after school

education and safety, homeless or foster youth education options, course content, physical education (including instructional minutes grades 1-6), discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, ESEA (Titles I-VII), Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234 et seq., 234.6, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI; Title VII; Title IX; § 504; IDEA; 34 CFR 106.9; ne]

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Principal or designee, or any other staff member. In addition, any student who observes any such incident should report the incident to the Principal, designee or any other staff member, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying shall report the incident to the Principal or designee, whether or not the victim files a complaint.

In addition, the employee shall immediately intervene when safe to do so. [EC 234.1]

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Principal or designee shall immediately investigate the complaint in accordance with the site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

Uniform Complaint Process

You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging

discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student or pupil fees may be filed within 12 months of the occurrence. Complaints regarding LCAP may be filed anonymously. Complaints regarding Pupil Fees may be filed anonymously and with the principal. If a complaint regarding pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints.

Those complaining (Complainants) are protected from retaliation and their identities are confidential when related to discrimination. Staff dealing with complaints are knowledgeable about the laws and programs they are investigating. The complaint may be dismissed if complainant obstructs or does not provide all information. If the District acts in the same manner, the finding may be affected.

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 60 days from the receipt of the complaint. The Superintendent and complainant may agree in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision. There are then five days to appeal to the Board of Education.
6. If you are not satisfied with the results, the complainant then has 15 days to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.
7. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint

procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to, injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504: Office of Civil Rights

Child Abuse: Department of Social Services, Protective Services Division, or law enforcement

Discrimination/Nutritional Services: U.S. Secretary of Agriculture

Employment Discrimination: Department of Fair Employment and Housing, Equal Employment Opportunity Commission.

General Education: this school district

Health and Safety/Child Development: Department of Social Services

Student Records: Family Policy Compliance Office (FPCO), Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202

[20 USC 11138; 34 CFR 300.510-511, 300.513; EC 235. 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632]

District's Uniform Complaint Procedures

The Governing Board recognizes that the district has primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

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

complaints regarding the following programs and activities:

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

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject

of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 – Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
2. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency.
3. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in

AR 4030 – Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 – Procedural Safeguards and Complaints for Special Education.
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 – Nutrition Program Compliance.
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 – Nutrition Program Compliance.
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 – Williams Uniform Complaint Procedures.

Administrative Regulation

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

Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights

laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 – Nondiscrimination/ Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 – Nondiscrimination/ Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 – Sexual Harassment for handling complaints regarding sexual harassment.

Director of Student and Family Services
708 South Miller Street
Santa Maria, CA 93454
(805) 361-8141

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

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing

the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices.

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties.

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will

be knowledgeable about the laws and programs that they are assigned to investigate

3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision,

within 30 calendar days of receiving the district's decision

10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to TitleIX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.

Complaints shall also be filed in accordance with the following rules, as applicable:

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

Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The Compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving

the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within 5 business days of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or

engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant.

Timeline for Investigation Report

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Investigation Report

For all complaints, the decision shall include:

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

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

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

Corrective Actions

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

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education.

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to

identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint.

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report.

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following:

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

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

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

5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report.

Health and Safety Complaints in License-Exempt Preschool Programs

Any Complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE website.

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations.

Any Complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The Complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint.

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority.

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint.

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee.

A complainant not satisfied with the resolution of the preschool program administrator or the designee of the district superintendent has the right to describe the complaint to the governing board of the local educational agency at a regularly scheduled hearing of the governing board or body, as applicable, of the LEA.

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

The State Superintendent of Public Instruction (SSPI) or his or her designee shall comply with the requirements of 5 CCR Section 4633 and shall provide a written LEA Investigation Report to the State Board of Education describing the basis for the complaint, the LEA's response to the state preschool health and safety issues pursuant to HSC Section 1596.7925 complaint and its remedy or proposed remedy and, as appropriate, a proposed remedy for

the issue described in the complaint, if different from the LEA's remedy.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632.

All complaints and responses are public records.

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. [BP/AR 1312.3 January/ March 2022; EC 18100-18203, 200-262.4, 32280-32289.5, 35186, 46015, 48645.7, 48853-48853.5, 48985, 49010-49013, 49060-49079, 49069.5, 49490-49590, 49701, 51210, 51222, 51223, 51225.1-51225.2, 51226-51226.1, 51228.1-51228.3, 52059.5, 52060-52077, 52075, 52300-52462, 52500-52617, 54400-54425, 54440-54445, 54460-54529, 59000-59300, 64000-64001, 65000-65001, 8200-8488, 8500-8538; 2 CCR 11023; 5 CCR 15580-15584, 3200-3205, 4600-4670, 4680-4687, 4690-4694, 4900-4965; GC 11135, 12900-12996; HSC 1596.792, 1596.7925; PC 422.55, 422.6; FERPA; Title VI; Title VII; Title IX; § 504; 20 USC 1221, 1681-1688, 6301-6576, 6801-7014; 42 USC 11431-11435, 12101-12213, 6101-6107; 28 CFR 35.107; 34 CFR 100.3, 104.7, 106.1-106.82, 106.3, 106.44, 106.45, 106.8, 110.25]

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

Parents should use the District Uniform Complaint Procedure with modifications as included, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 8235.5, 35186]

Williams complaint procedure

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

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

MISCELLANEOUS

≡ Parent Involvement

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

1. Help parents/guardians develop parenting skills and provide home environments that support their children's academic efforts and their development as responsible members of society.
2. Inform parents/guardians that they can directly affect the success of their children's learning and provide them techniques and strategies that they may use to improve their children's academic success and help their children in learning at home.
3. Initiate consistent and effective two-way communication between the home and school so that parents/guardians may know when and how to help their children in support of classroom learning activities.
4. Receive training that fosters effective and culturally sensitive communication with the home, including training on how to communicate with non-English speakers and how to give parents/guardians opportunities to assist in the instructional process both at school and at home.
5. Encourage parents/guardians to serve as volunteers in the schools, attend student performances and school meetings, and participate in site councils, advisory councils and other activities in which they may undertake governance, advisory and advocacy roles.

School plans shall delineate specific measures that shall be taken to increase parental involvement with their children's education, including measures designed to involve parents/guardians with cultural, language or other barriers which may inhibit such participation.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so. The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program (EC 11503). The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318. The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities. The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent involvement policy in accordance with 20 USC 6318.

≡ School Board Meetings

School Board Meetings are held the second and fourth Wednesdays of each month at the Souza Center at 6:00 pm, times and dates are subject to change. Oral interpretation is available at Board Meetings. A Spanish translation or interpretation of Board Meeting minutes and/or Board materials will be provided upon request. Requests should be made to the Coordinator of Family Engagement at (805) 361-8118.

≡ Megan's Law

In accordance with "Megan's Law" information about sex offenders may be obtained from local law enforcement agencies. [PC 290.4]

≡ Management Plan for Asbestos-Containing Material

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

≡ Lead Poison

The district website has information about lead poisoning, including risks and effects of childhood lead exposure; blood lead screening tests for children enrolled in Medi-Cal; recommendations for children not enrolled in Medi-Cal who are at high risk of lead exposure and blood lead screening tests as required. The District will handout information to parents of district childcare or preschool programs. [HSC 105286]

≡ Healthy Schools Act - Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. The identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds. Additionally, the District maintains a registry of chemical sensitive students, staff or other persons requesting special consideration in the event of the use of pesticides. The school's Integrated Pest Management Plan (IPM) is updated by September 15 each year. The IPM, pesticide names and active ingredients, and application dates are posted on the

school and/or district website at www.smbds.org under Maintenance, Operations, and Transportation.

<u>Name</u>	<u>Active Ingredient(s)</u>
Alpine WSG	Dinotefuran
Boractin	Boric Acid
Dimension 2EW	Dithiopyr
Fever	Glufosinate-Ammonium
Nyguard Flea & Tick	N-Octyl Bicycloheptene Dicarboximide, Pyriproxyfen, Phenothrin
PT 565	Pyrethrins, N-Octyl Bicycloheptene Dicarboximide, Piperonyl Butoxide
PT Wasp Freeze	Prallethrin
Snapshot 2.5 TG	Trifluralin, Isoxaben
Suspend Polyzone	Deltamethrin
Talstar	Bifenthrin
Termidor	Fipronil

Application Dates at all District sites

July 17-21, 2023	January 2-5, 2024
August 1-4, 2023	April 1-5, 2024

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov.

If you have any questions, you may contact the Coordinator of Maintenance and Operations, Javier Cavazos at (805) 928-1783 ext. 8256. [EC 17610.1, 17612, 48980; FAC 13184; ne]

≡ Further Information is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office, please call Brian Zimmerman, Director of Student and Family Services at ext. 8141. [EC 48209.13; FERPA; 34 CFR 99.7(b)]