



MUHSD

Merced Union High School District



2023-2024

Student/Parent Handbook



This handbook contains important information related to school policies, laws and mandatory parent advisories

Published by
Child Welfare, Attendance and Safety Office



**Our District Office is located at
3430 "A" Street, Castle Airport, Atwater, CA 95301**



Every staff member, every day, will support all students to acquire the skills necessary to develop and follow their postsecondary dreams.

District and school websites can be found at: <http://www.muhsd.org>



Board of Trustees
Erin Hamm
Richard Lopez
Tiffany Pickle
Amalee Jayasinghe
Julio Valadez



Board of Trustees Information

The Board of Trustees consists of five members who are elected to four-year terms by a district-wide vote. Each board member lives in a different part of the district. These elected officials are responsible for setting district policy and approving the district's annual budget. The chief administrative official is the superintendent. The Board believes everyone should be aware of their rights and responsibilities as outlined in this handbook. Board meetings, which are open to the public, convene on the second Wednesday of each month at 5:30 p.m. During the summer and holiday season the schedule may vary. The site of the meetings is rotated between the various high schools within the district. For additional information contact Mrs. Rohrback, Assistant to the Superintendent at 325-2020.

District Phone Numbers

Superintendent:	325-2020
Business Office:	325-2030
Child Welfare & Attendance Office:	325-2111
Educational Services:	325-2050
Human Resources:	325-2010
Maintenance:	325-2300
Nutritional Services:	325-2210
Student Services:	325-2121
Transportation:	325-2350

School Phone Numbers

Atwater High	325-1200
Buhach Colony High	325-1400
El Capitan High	384-5500
Golden Valley High School	325-1800
Livingston High	398-3200
Merced High	325-1000
Adult School	325-2800
Independence High	325-1694
Sequoia High	325-1700
Yosemite High	325-1600

Counseling Services

OVERVIEW

This section contains the Merced Union High School District School Counseling Program Guidelines aligned with the ASCA National Model, 4th Edition (2019), and revised by agreement of all school counselors on 10/11/2022.

I. DEFINE

Three broad **domains of student development** will guide the school counseling program: **Academic, College/Career, and Social/Emotional.**

ASCA's National Model, ASCA Mindsets and Behaviors Standards, ASCA School Counselor Professional Standards and Competencies, ASCA Ethical Standards for School Counselors, and ASCA Position Statements will guide the school counselors' program, practice and professionalism within Merced Union High School District.

State educational laws and codes as well as **local strategic plans and guidelines** will guide the school counseling program within Merced Union High School District.

School counseling program **handbook guidelines** will be **reviewed and modified each year** to establish the priorities and direction for school counseling and support services provided to students in grades 9 -12.



II. MANAGE

The Merced Union High School District-aligned school counseling program **vision and mission statements** define the vision and focus for managing and implementing a school counseling program for all students.

As members of the school staff, school counselors will assume **planning, calendaring, and management responsibilities** in the school counseling program.

School counselors and support staff will **meet regularly** as **Collaborative Teams** to review student data and identify, prioritize, and target student needs.

School counselors will **use school and district data** to identify student strengths, needs, equity/access issues, achievement/opportunity gaps, barriers to success, and other systemic issues.

School counselors will **collect process, perception, and outcome data** to progress monitor and evaluate the management, delivery, and assessment of the school counseling program.

School counseling **annual student outcome (SMART) goals** will be reviewed and modified each year to establish the priorities and direction for school counseling and support services provided to students in grades 9-12.

School counselors will **develop action plans** for Tier 1 (curriculum, individual student planning, and schoolwide programs and activities) and Tier 2 (data driven interventions and systems change initiatives).

School counselors will **develop high-quality, detailed, engaging written lesson plans** for Tier 1 curriculum and Tier 2 small groups/interventions.

The school counseling program will **engage with families and encourage family collaboration** concerning academic, college/career, and social/emotional development and decision-making for all students in grades 9-12.

School counselors and support staff will **collaborate with school administration and site leadership teams** in order to ensure effective implementation of school counseling services.

School counseling departments and administrators will collaborate to determine **hours of operation** which allow adequate opportunities for students and working families to access counseling services both within and outside of the regular school day.

The **student-to-school counselor ratio and assignment of students** to school counselors will be determined by the school counseling department and administration at each school site based on the unique programmatic considerations of the school and student population. These decisions should ensure school counselors equitably address the needs of all students.

School counselors' **use of time** will be determined in mutual agreement by the counselors, site administrators, and the district office in accordance with the Merced Union High School Counseling program goals.

The **roles and responsibilities** of school counselors will be determined by the counselors, administrators, and district office in accordance with the national frameworks, ethical guidelines, and district priorities.

School counselors and those supporting the school counseling program (i.e. administrators) will be provided **school counseling specific professional learning** opportunities based on individual needs, site needs, and resources available.

School counselors and support staff will provide **information and materials to staff** on topics and issues that impact teaching, learning, and school climate/culture.

School counseling departments at each site will systematically and equitably **provide information to staff, families, and the community via multiple methods** regarding the school counseling program activities, services, and support options available.

III. DELIVER

All students (9-12) will be provided age and grade appropriate planned **school counseling curriculum** that promotes attitudes, knowledge, and skills through instruction in academic achievement, college/career readiness, and social/emotional growth.

School counselors will help students monitor and manage their own learning, as well as to **establish personal goals and future plans**.

School counselors will meet with all students (grades 9-12) to **develop a Individual Student Plan (must include 2 years postsecondary, transitional planning)** beginning in ninth grade, which includes appropriate coursework for successful graduation from high school and transition to postsecondary institutions or to work.

School counselors will coordinate **school/district-wide programs and activities** in alignment with the school counseling curriculum to support the academic, college/career, and social/emotional development of students.

School counseling programs and services will be provided to **educate, engage, and increase family participation** in the areas of academic, college/career and social/emotional development and decision making for all students grades 9-12.

Intentional, targeted, data-driven interventions will be provided to students who need additional support to address academic achievement, college/career readiness, or social/emotional concerns.

School counselors will **utilize site and district resources**, as well as collaborate with local businesses, industries, and agencies to develop community resources, to provide Tier 2 support and increase opportunities for students and families.

School counselors will **consult** with administrators, teachers, staff, families, and other key educational partners regularly to provide information, professional opinions, and recommendations about students' needs, and to receive feedback on the emerging needs of students.

School counselors will participate in internal school and district committees, teams, partnerships, and advisory boards to **collaborate** on student needs, support programs in the school and community, and gain support for the school counseling program.

Short-term Tier 3 school counseling support will be provided to students as appropriate during times of crisis, transition, heightened stress, critical change, or other situations in which Tier 2 support is not adequate.

School counselors will **refer to school, district, and community resources** when students' needs extend beyond the role and responsibilities of the school counselor.

IV. ASSESS

School counselors will annually select Tier 1 and Tier 2 activities to **assess their effectiveness** and determine how students are different as a result.

School counselors will systematically **share the impact of their Tier 1 and Tier 2 activities** with key educational partners (i.e., Flash presentations, one pagers, highlight reels, results reports).

School counselors will annually **complete a program assessment** to determine program strengths and areas of thoughtfulness for improvement (ASCA School Counseling Program Assessment).

School counselors will annually **self-assess their attitudes, knowledge, and skills** based on the ASCA School Counselor Professional Standards and Competencies Assessment to facilitate professional growth.

The **school counselor performance evaluation tool** will reflect the duties and responsibilities expected of school counselors, as defined by the National Model, ASCA School Counselor Professional Standards and Competencies, ASCA Ethical Guidelines, and the Merced Union High School District School Counseling Program Handbook (this document).

School counselors serve as **leaders in the school community** to promote and support student success and act as **systems change agents** to create an environment that promotes and supports student success.

Program Changes

Students and parents should work with school personnel and make a special effort to select a program of classes carefully so that a minimum number of schedule changes will be required following their initial selection. Program changes may be initiated by school personnel based upon students' academic and/or behavioral needs. **Students may only request schedule changes during the first 2 weeks of school and only under the following circumstances:** There will be an attempt to correct program errors and improper placement within the first 3 weeks. Students presenting a valid need to change their program by dropping one course and adding another will be allowed on a space available basis. A **"Request for Change of Program"** will not be honored unless an irresolvable conflict or personal issue persists after efforts at resolution have failed, students who withdraw or are dropped from classes after the 30th school day will not be allowed to enroll in another class for credit, second semester course changes are granted on a space available basis. Requests for change of program for the second semester should be completed and turned in to the Counseling Office during the last three weeks of the first semester.

Grade Reporting Calendar

Report cards will be mailed home one to two weeks following the end of the first semester, 3rd quarter, and the end of the semester. Current grades are available on-line.

Holidays/Recesses

Labor Day
Veteran's Day
Thanksgiving Break
Winter Recess
M.L. King Jr. Day
Presidents' Recess
Spring Recess
Memorial Day

Eligibility

Attendance: Students who reach 4th step truancy will be ineligible for extracurricular activities.

Grades: A minimum 2.0 GPA is required and no more than two F grades are allowed. Students will be ineligible to participate in athletic activities until the next grading period eligibility is determined. Students who become ineligible due to grades, while participating on an athletic team, may be removed from the team (coach discretion) and from athletics. Semester grades will take precedence over second and fourth quarter grades in determining eligibility. Students who become ineligible at the end of the second semester shall not participate in school-sponsored extracurricular activities during the first quarter period of the following year. A student may attend summer school to raise his/her grade point average to 2.0. A student ineligible because of failing grades can become eligible by taking a class comparable to the class failed. A student may use summer school courses to establish eligibility for participation in athletics.

Discipline: Students who are suspended will lose eligibility: 1st suspension will result in a 3 weeks ineligibility 2nd suspension (in a 12-month period) will result in a 6 weeks ineligibility.

All consequences will reset after a 12-month period from the 1st offense date. Students attending DRC/UDA will be ineligible for the days that they are attending those programs.

Curriculum & Instruction

Graduation Requirements: Semester Credit – five credits are granted each semester for every class successfully completed.

A. Required Subjects

1. Physical Education/Athletics – 20
2. English – 40
3. Social Studies – 40
 - a. Health and Wellness – 5
 - b. Social Studies Elective – 5
 - c. World History – 10
 - d. U.S. History – 10
 - e. Economics – 5
 - f. American Government – 5
4. Mathematics – 20
 - a. A minimum of 10 credits in Algebra 1 (or college prep math) is required.
5. Science – 30
6. World Language/Fine Arts or CTE – 10
 - a. Any photography, art, music, drama, or yearbook class will qualify for fine arts credit.

Total required course credit – 160

Total elective course credit - +60

Required for Graduation - 220

B. Other Graduation Requirements:

1. Starting with the class of 2020, all students are required to take two CTE courses equaling 20 credits.
2. Non-credit requirements: Good citizenship and satisfactory attendance.

Reviewing Instructional Materials:

The Merced Union High School District engages in a very careful review process for all of our instructional materials, textbooks, and novels. Our review process is very important because we want to ensure that your children have the best possible instructional tools.

If you are concerned or have questions about the books, please contact your child's teacher, principal, or the District's Education Services Department. We would like to have the opportunity to discuss these concerns with you. If, after this discussion, your concerns have not been relieved, you have the right to request an alternative assignment or book.

If you have any further questions, please don't hesitate to call the District's Education Services Department (209-325-2061).

Physical Exams and Testing: The District is required to conduct certain physical examinations and vision, hearing and scoliosis testing of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code 49451, 49452, 49452.5 and 49455, Health & Safety Code 124085)

Course Assignments: The District is prohibited from assigning a student enrolled in any of grades 9 through 12 to any course period without educational content for more than one week in any semester, except under specified conditions. Under no circumstances will the District assign a student enrolled in any of grades 9 through 12 to a course period without educational content because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.1) The District is prohibited from assigning a student enrolled in grades 9 through 12 to a course that the student has previously completed and received a grade determined by the District to be sufficient to satisfy the requirements and prerequisites for admission to the California public post-secondary schools and the minimum high school graduation requirements, except under specified conditions. Under no circumstances will the District assign a student enrolled in any of grades 9 through 12 to a course the student has previously completed and received a sufficient grade, as specified, because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.2) These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. The District may continue to authorize dual enrollment in community college, to run evening high school programs, and to offer independent study, work experience education, and other specified courses. A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 51228.3)

Career-Technical Education: The Merced Union High School District offers courses of study in 14 of the 15 industry sectors. To learn more about the District's career technical education classes, visit the District's website at <http://www.muhsd.org>. There are no specific admission requirements for entry into any career-technical courses. Lack of English-language skills is not a barrier to admission and participation in career-technical education courses. All Career Technical Education (CTE) opportunities will be offered regardless of race, color, national origin, sex, or disability (34 CFR Appendix B To Part 100 IV.O.). California laws also provide added protection on the basis of actual or perceived ethnicity, gender, gender identity, gender expression, immigration status, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. (5 CCR, Title 5, Sections 4622, 4961 et seq.; EC Sections 200 and 220). Inquiries on all matters, including complaints, regarding compliance, may be referred to the Title IX Coordinator & Nondiscrimination Officer: Brett Nickelson, Director of Human Resources, bnickelson@muhsd.org, 209-325-2015 and 504 Coordinator, Cristi Johnson, Director, 209-325-2121 (34 CFR Appendix B to Part 100 IV.O.).

Regional Occupational Programs/County Offices of Education Programs/Adult Education Programs: A regional occupational center or program, county office of education program, or adult education program must meet specified requirements for certification by the Superintendent of Public Instruction in order to provide an employment training program for adults or to authorize an education program beyond secondary education that leads to a degree or certificate. (Ed. Code, § 52334.7) A complaint alleging that a local agency violated federal or state laws or regulations governing adult education programs under Education Code section 52501 or regional occupational centers and programs may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. A complaint alleging that a county office of education violated federal or state laws or regulations governing the county office's participation in any student financial assistance program authorized by Title IV may also be filed under the Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

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

Tests on Personal Beliefs: Tests, questionnaires or examinations containing questions about the student's personal beliefs or practices in sex, family life, morality, and religion may not be given to students unless the parent/guardian is notified in writing. [Ed Code Sec 60650]

Minimum College Admissions Requirements: Students who plan to attend a university or four-year College directly after high school will be required to complete additional eligibility requirements while in high school. All California public universities; California State University (CSU) and University of California (UC) campuses follow the same minimum course requirements, known as the A-G Requirements. Private universities may have different admissions requirements, and it is the student's responsibility to check those requirements for the school he/she hopes to attend. All students are encouraged to visit college/university websites in order to make well-informed plans for the future. Additional assistance is available in the Counseling Office.

Required "a-g" Courses (CSU and UC)

History/Social Science- 2 years required

English- 4 years required

Laboratory Science- 3 years required

Language other than English- 2 years required

Visual and Performing Arts or Career Technical Education- 1 year required

College Preparatory Elective- 1 year required

Other factors considered in the admissions process are grade point average (GPA), Scholastic Aptitude Test/ American College Test (SAT/ACT) scores, the overall rigor of the high school course of study, extracurricular activities, and personal circumstances. Students and parents are strongly encouraged to visit www.calstate.edu or www.universityofcalifornia.edu for more detailed information.

Continued Education Options for Juvenile Court School Students: A Juvenile court school student, or the person holding the right to make educational decisions for the student, may voluntarily defer or decline issuance of their diploma until after the student is released from the juvenile

detention facility, thereby allowing the student to take additional coursework at a local education agency. The county office of education will notify the student, the person holding to right to make educational decisions for the student, and the student's social worker or probation officer of all of the following:

a. The student's right to a diploma; b. How taking coursework and meeting other educational requirements will affect the student's ability to gain admission to a post-secondary educational institution; c. Information about transfer opportunities available through the California Community Colleges; and d. The option to defer or decline the diploma and take additional coursework. (Ed.Code§§ 48645.3(a)48645.7)

Internet Access: The District offers access to computers and people across the world. Students and staff have limited access to electronic mail, college and university libraries, information and news from a variety of sources, discussion groups on a wide variety of topics, and much more. The protection of students is a paramount concern of the Merced Union High School District. The District will make every effort to protect students and teachers from any misuses or abuses as a result of their experiences with an information service. However, on the Internet it is impossible to control the content of data and a user may discover controversial materials. It is the user's responsibility not to initiate access to such material. The District makes no warranties of any kind, whether express or implied, for the service it is providing. The District will not be responsible for any damages a user suffers. This includes loss of data resulting from delays, no-deliveries, miss-deliveries, or service interruptions caused by the District's negligence or by the user's errors or omissions. Use of any information obtained via district computers is at the user's own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its services. All users need to consider the source of any information they obtain and consider how valid that information may be.

On-Line Services/Internet Access:The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254) 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. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision. The Superintendent or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication. 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 personal 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. Student use of district computers to access social networking shall be limited to those sites deemed by administration to have legitimate educational uses. To the extent possible, the Superintendent or designee shall block access to non-educational sites on district computers with Internet access. (BP6163.14)

Comprehensive Sexual Health Education and HIV/AIDS Prevention Education: A parent or guardian has the right to excuse their child from comprehensive sexual health education, HIV prevention education, and assessments related to that education. A parent or guardian who wishes to exercise this right must state their request in writing. (Ed. Code, § 51938) A parent or guardian may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of the California Healthy Youth Act. (Ed. Code, § 51930 et. seq.) Parents or guardians shall be notified in writing if the District plans to administer an anonymous, voluntary and confidential test, questionnaire, or survey containing age appropriate questions about the pupils' attitudes concerning or practices related to sex in grades 7 to 12 and given the opportunity to review the test, questionnaire, or survey. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey by stating their request in writing. (Ed. Code, § 51938) Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction whether the instruction will be taught by District personnel or by outside consultants. If outside consultants or guest speakers are used, the notice shall include the date of the instruction, and the name of the organization or affiliation of each guest speaker will be identified. Parents have a right to request that the District provide them with a copy of Education Code sections 51933, 51934, and 51938. (Ed. Code, § 51938) If arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians no less than 14 days before instruction is given. (Ed. Code, § 51938)

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

Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act (ESSA) took full effect in 2018 to replace the No Child Left Behind Act in modifying the Elementary and Secondary Education Act of 1965 (ESEA). If updates are provided by the California Department of Education, the following notice may change and new information may be added.

Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides: Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the major or field of discipline for any degrees or certifications held by the teacher, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. In addition, parents have a right to notice when the parent's child has been taught for four or more weeks by a teacher who is not highly qualified. (ESEA §1112(e)(1)(B) (as amended by ESSA))

Information Regarding Individual Student Reports on Statewide Assessments: Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. (ESEA § 1112(e)(1)(B) (as amended by ESSA))

School Identified for School Improvement: A local educational agency shall promptly provide notice to a parent or parents of each student enrolled in an elementary school or a secondary school identified for school improvement (school that fails for two consecutive years to make adequate yearly progress as defined in the State's plan) for comprehensive support and improvement activities. or targeted support and improvement activities.. The notice will be in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. The notice will include an explanation of what the identification means; how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency; the reasons for the identification; an explanation of what the school identified for school improvement is doing to address the problem of low achievement; an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem; an explanation of how parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and an explanation of the parents' option to transfer their child to

another public school (with transportation provided by the agency when required or to obtain supplemental educational services for the child). (ESEA § 1116(c-D) (as amended by ESSA))

Parent and Family Engagement: ESSA requires the District to notify parents of a written parent and family engagement policy. (ESEA § 1116) (as amended by ESSA) (20 U.S.C. § 6318(b)). The policy must include how each school will: convene an annual meeting to which all parents of participating students shall be invited and encouraged to attend, to inform parents of the requirements of this policy and the right of parents to be involved; offer a flexible number of meetings; involve parents in an organized and timely manner in the review and development of programs under this part including development of the parent and family engagement policy; provide parents timely notice about programs under this part, a description of the curriculum in use at the school, the forms of academic achievement, and if requested by parents, opportunities for regular meetings to formulate suggestions and participate in decisions related to the education of their children; allow parents to submit comments on the plan when the school makes it public; jointly develop a compact with parents describing the school's responsibility to provide high-quality curriculum in a supportive and effective learning environment and addresses the importance of communication between parents and teachers; provide assistance to parents of children served by the school in understanding academic standards, assessments, and the requirements of this part; provide materials and training to help parents work with their children to improve their children's achievement; educate teachers on the importance of parent outreach and communication; coordinate parent involvement in school programs; provide information related to school and parent programs in a format and language the parents can understand; adopt and implement model approaches to improving parental involvement; and provide other reasonable support for parental involvement activities as parents may request. This policy shall be provided in a format and, to the extent practicable, in a language that parents will understand.

Limited English Proficient Students: ESSA requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs (including content, instructional goals, and the use of English and native language); the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable; and, parent options for removing a student from a program, declining initial enrollment and/or choosing another program. (ESEA § 1112(e)(3)(A) (as amended by ESSA)) In addition, the notice shall include the following: (1) whether the student is a long-term English learner or at risk of becoming a long-term English learner; (2) the manner in which the program will meet the needs of long-term English learners or those at risk of becoming long-term English learners; and (3) the manner in which the program will help long-term English learners or those at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards. (Ed. Code, §§ 313.2, 440; 20 U.S.C. § 6312) The information provided above is available upon request from each student's school or the district office. Additional notices that may be required shall be sent separately. (20 U.S.C. § 6301 et seq.) The Every Student Succeeds Act (ESSA) took full effect in 2018 to replace the No Child Left Behind Act in modifying the Elementary and Secondary Education Act of 1965 (ESEA). If updates are provided by the California Department of Education, the following notice may change and new information may be added.

Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides: Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the major or field of discipline for any degrees or certifications held by the teacher, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. In addition, parents have a right to notice when the parent's child has been taught for four or more weeks by a teacher who is not highly qualified. (ESEA § 1111(h)(6) (as amended by ESSA))

Information Regarding Individual Student Reports on Statewide Assessments: Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. (ESEA § 1111(h)(6) (as amended by ESSA))

School Identified for School Improvement: A local educational agency shall promptly provide notice to a parent or parents of each student enrolled in an elementary school or a secondary school identified for school improvement (school that fails for two consecutive years to make adequate yearly progress as defined in the State's plan) for corrective action or for restructuring. The notice will be in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. The notice will include an explanation of what the identification means; how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency; the reasons for the identification; an explanation of what the school identified for school improvement is doing to address the problem of low achievement; an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem; an explanation of how parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and an explanation of the parents' option to transfer their child to another public school (with transportation provided by the agency when required or to obtain supplemental educational services for the child). (ESEA § 1116(b)(6) (as amended by ESSA))

Limited English Proficient Students: ESSA requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs (including content, instructional goals, and the use of English and native language); the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable; and, parent options for removing a student from a program, declining initial enrollment and/or choosing another program. (ESEA § 1112(g)(1)(A) (as amended by ESSA)) In addition, the notice shall include the following: (1) whether the student is a long-term English learner or at risk of becoming a long-term English learner; (2) the manner in which the program will meet the needs of long-term English learners or those at risk of becoming long-term English learners; and (3) the manner in which the program will help long-term English learners or those at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards. (Ed. Code, §§ 313.2, 440; 20 U.S.C. § 6312) The information provided above is available upon request from each student's school or the district office. Additional notices that may be required shall be sent separately. (20 U.S.C. § 6301 et seq.)

Language Acquisition Program

Merced Union High School District offers the following language and language acquisition programs for student enrollment. Parents/Guardians may choose a language acquisition program that best suits their child (EC Section 310[a]).

- **Structured English Immersion (SEI) Program:** A language acquisition program for English learners in which **Designated ELD** is defined as instruction provided during a time during the regular school day for focused instruction on the state-adopted ELD standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (*California Code of Regulations, Title 5 [5 CCR] Section 11300[a]*). Education Code (EC) sections 305(a)(2) and 306(c)(3).

Designated ELD is defined as instruction provided during a time during the regular school day for focused instruction on the state-adopted ELD standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (*California Code of Regulations, Title 5 [5 CCR] Section 11300[a]*). The goal of the MUHSD EL program is to develop a reasonable level of proficiency in English and support EL students in their development of literacy and fluent English proficiency. EL students are placed in a designated ELD level and course based

on their ELPAC Summative overall score and the ELD teacher recommendation. For newly enrolled EL students, the Reading Inventory lexile score or the Initial ELPAC score will be utilized for student ELD placement.

- **ELD 1 Beginners:** substantial linguistic support needed. English learners at this level have minimally developed oral (listening and speaking) and written (reading and writing) English skills. They tend to rely on learned words and phrases to communicate meaning at a basic level. They need substantial-to-moderate linguistic support to communicate in familiar social and academic contexts; they need substantial linguistic support to communicate on less familiar tasks and topics.
- **ELD 2 Emerging:** moderate linguistic support needed. English learners at this level have somewhat developed oral (listening and speaking) and written (reading and writing) skills. They can use English to meet immediate communication needs but often are not able to use English to learn and communicate on topics and content areas. They need moderate-to-light linguistic support to engage in familiar social and academic contexts; they need substantial-to-moderate support to communicate on less familiar tasks and topics.
- **ELD 3 Expanding–Early Bridging:** light linguistic support needed. English learners at this level have moderately developed oral (listening and speaking) and written (reading and writing) skills. They can sometimes use English to learn and communicate in meaningful ways in a range of topics and content areas. They need light-to-minimal linguistic support to engage in familiar social and academic contexts; they need moderate support to communicate on less familiar tasks and topics.
- **ELD 4 Bridging:** minimal linguistic support needed. The student consistently exhibits listening and reading comprehension skills at a level of parity with English proficient grade-level peers. The student independently constructs meaning when reading abstract grade-appropriate texts at a level of parity with English proficient grade-level peers, with occasional teacher support. The student consistently comprehends conversations and discussions with increasing grade-appropriate vocabulary and rarely relies on linguistic support.

Please refer to the MUHSD Course Catalog, <https://courses.muhsd.org/courses>, for the course description for each ELD level.

Integrated ELD is defined as instruction in which the state-adopted ELD standards are used in tandem with the state-adopted academic content standards. Integrated ELD includes specifically designed academic instruction in English. (5 CCR Section 11300(c)).

All teachers must possess an EL authorization as well as appropriate subject matter authorization. Access to core content is provided through Specially Designed Academic Instruction in English (SDAIE) techniques to enable English Learners to gain access to grade level subject matter in mathematics, social studies, science, and other required academic subjects. Teachers will use appropriate strategies to support Board-adopted materials in order to ensure access to core content material. Supplemental resources and materials may be used in addition to Board-adopted materials.

How to Enroll Your Child in a Language Acquisition Program: If interested in a different program from those listed above, please contact Dr. Katina Austin at (209) 325-2112 to ask about the process. Parents of English learners have a right to decline or opt their children out of the school district's language acquisition program or opt-out of a particular English learner service(s) within a language acquisition program. (20 U.S.C Section 6318[c][A][vii]) However, LEAs remain obligated to provide the student meaningful instruction (5 CCR Section 11302) until the student is reclassified, inform the parent when progress is not made, and offer the parent programs and services to consider at that time.

World Languages Program. MUHSD offers World Language Courses to students, who are not English learners and English Learners, for opportunities to be instructed in languages other than English. World Language courses may lead to proficiency in languages other than English. Work with your child's counselors to find out more about the World Language Program and how to enroll your child.

How to Request the Establishment of a New Program at a School: Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a].) 32 Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan, and if interested in a different program from those listed above, please contact Dr. Katina Austin at (209) 325-2112 to ask about the process.

Reclassification of EL Students. Reclassification is the process whereby a student is reclassified from English learner (EL) status to Fluent English Proficient (RFEP) status. Reclassification can take place at any time during the academic year, immediately upon the student meeting the following State and District approved criteria: Criterion 1: Assessment of English Language Proficiency - Summative ELPAC Overall score of a 4; Criterion 2: Teacher Evaluations - Minimum Requirements: A score of 4 in both Listening and Reading Comprehension & Speaking and Writing on the Observation Tool ([OPTEL](#)) and/or a the most recent semester grade of C- or above in their English course; Criterion 3: Parent Consultation - Parent/Guardian of the student has been informed of the reclassification process, results of the assessments, and approves of the reclassification of his/her child; and Criterion 4: Basic Skills Relative to English Proficient Students - basic or above on State or local reading assessments.

Dissection of Animals: If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. No student shall be discriminated against based upon his or her decision to exercise his or her rights under this section. (Ed. Code, §§ 32255-32255.6)

Pupil-Free Staff Development Day and Minimum Day Schedule: A copy of the District's pupil-free staff development day and minimum day schedules is located on the district and school websites. A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, § 48980(c))

Pupil Fees: A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)
(a) The following requirements apply to prohibited pupil fees: (1) All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge. (2) A fee waiver policy shall not make a pupil fee permissible. (3) The District and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide. (4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school. (b) Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49010 et seq.) A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 49013)

Safe Storage of Firearms: The District is required to provide parents notice of California's child access prevention laws and laws relating to the safe storage of firearms. The District has attached a memorandum describing such laws. (Ed. C, § 48986, 49392)

Review of Curriculum: A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, 49091.14)

California Assessment of Student Performance and Progress (CAASPP): The CAASPP system is based on the state's California Common Core State Standards (CA CCSS) for English-language arts (ELA) and mathematics, adopted by the State Board of Education in 2010. English Language Arts and math tests are taken by 11th grade students only. The California Science Test (CAST) may be given in the 10th or 11th grade beginning in 2017-18. The primary goal of the statewide testing program is to better prepare all students for college and careers in the twenty-first century. Computer-based assessments, developed through the Smarter Balanced Assessment Consortium, form the cornerstone for CAASPP.

Preliminary School Achievement Test (PSAT):

This is a diagnostic test to help the school, you, and your student understand more about the student's potential for advanced study. Using this test, we hope to identify many more students for Honors and Advanced Placement courses which will make them eligible to enter colleges and universities upon graduation.

Advanced Placement Tests: These tests provide students who are taking Advance Placement courses with the opportunity to apply for college-level credit at many colleges and universities. Passing Advance Placement tests can save families a considerable amount of money which would be required to pay for beginning courses when their child begins college.

Student Test Information: Parents have the right to request and receive all of their child's test results from State academic assessments.

Availability of State Funds to Cover Costs of Advanced Placement Examination Fees: The District may help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged students. (Ed. Code, §§ 48980(j), 52242)

School Accountability Report Card:

Parents/guardians may request a hard copy of the School Accountability Report Card which is issued annually for each school of the District. (Ed. Code, § 35256) They are also on the MUHSD Web Site - <http://www.muhsd.org/>

U.S. Department of Education Programs: All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children. No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals personal information concerning:

- a. political affiliations or beliefs of the student or student's parents;
- b. mental and psychological problems of the student or his/her family;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating and demeaning behavior;
- e. critical appraisals of other individuals with whom respondent have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or student's parent; or
- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). Without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent. (20 U.S.C. § 1232h)

Senior Activities Including Graduation Ceremony: These activities are a privilege not a right. Districts may prohibit seniors from participating in graduation ceremonies and senior activities. Any senior who has been declared ineligible for co-curricular and extra-curricular activities due to truancy, excessive absences, home suspension, and substance offenses may be denied the right to participate in any or all such activities.

Pupil Find System; Policies and Procedures: Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the Director of Student Services and/or Special Education, or his/her designee. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300 et seq. (Ed. Code, § 56301; 34 C.F.R. § 104.32(b))

The **California Healthy Kids Survey** is a comprehensive youth self-report data collection system that provides essential and reliable health risk assessment and resilience information to schools, districts, and communities sponsored by the California Department of Education. The survey is a powerful tool that is written into the MUHSD LCAP as a measure of school climate for students, parents and staff by accurately identifying areas of strength and weakness. It is designed to be part of a comprehensive data-driven decision making process to help guide the development of more effective health, prevention, and youth development programs.

The CHKS is also required by schools that have after school programs funded under the 21st Century Community Learning Centers program, as part of their evaluation efforts.

At the heart of the CHKS is a research-based "Core" module that provides valid indicators of drug use, violence, crime, and physical and mental health. In addition to the Core, there are five supplementary modules to choose from that ask detailed questions on specific topics. CHKS targets students in grades 5, 7, 9, and 11. The survey is administered every year and will be administered to all 9th and 11th grade students.

The survey participation is voluntary. Students have the right to decline participation and to not answer any question that makes them uncomfortable. Parents may contact the school and let school officials know that they do not want their child to complete the survey. The survey is anonymous; no names will be recorded or attached to the survey forms or data. The test will be administered in Social Studies classes.

The survey content gathers information on behaviors such as physical activity and nutritional habits; alcohol, tobacco, and other drug use; school safety; considering, planning, or attempting to commit suicide; sexual behavior and practices leading to HIV/AIDS, sexually transmitted diseases, and pregnancy. You may examine the questionnaire in the school office or at your district's website: www.muhsd.org or by visiting the CHKS website at:

www.wested.org/pub/docs/chks_surveys

To get further information about the California Healthy Kids Survey you may also visit the web site at: www.californiahealthykids.org

District Safety Measures-Title IX

Student Procedures for Reporting Concerns

Students who need to report a problem with a student, teacher, school issue or who have information regarding a potential problem may ask to see a counselor, associate principal or school resource officer. If the problem is urgent and the student feels threatened, harassed or intimidated, students are encouraged to reach out for assistance from any staff member. An investigation of the problem will be conducted and all efforts will be made to achieve a resolution.

Students and/or parents may also use the school's automated tip-line to report concerns and communicate with trusted staff members. In addition, tips can be sent to school administration via anonymous text message by dialing TIP411 (847411) and including the school's "keyword" in the text message. Keywords will be made available to all students at the beginning of each school year.

School Safety "Tip" Lines

You can leave an anonymous tip regarding any safety concern at:

Atwater High	357-6072
Buhach Colony High	325-1447
El Capitan High	384-5545
Golden Valley High	325-1847
Livingston High	398-3247
Merced High	325-1047
Sequoia High	325-1647
Yosemite High	325-1647

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

Title IX Coordinator/Compliance Officer:

Brett Nickelson
 Director of Human Resources
 3430 "A" St, Atwater, CA 95301
 Phone: 209-325-2012
 E-mail: bnickelson@muhsd.org

Student Procedures for Reporting Sexual Harassment and Bullying

The Merced Union High School District is committed to providing educational programs, activities and services that are free from unlawful discrimination, harassment, intimidation, or bullying based on actual or perceived legally protected characteristics, or association with a person or group with one or more of such characteristics, including sex, sexual orientation, gender, gender identity, and gender expression, as required by California law and Title IX of the Education Amendments of 1972. Districts receiving federal funding are required to adhere to Title IX regulations, and Districts receiving state funding are required to adhere to Title 5 regulations.

Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official(s) listed here at the following addresses and telephones:

Kelli Sharpe
 Program Administrator Student Services
 Deputy Title IX Coordinator
 3105 G Street
 Merced, Ca. 95340
 Phone: 209-325-2110
 E-mail: ksharpe@muhsd.org

**For issues involving Students with Disabilities:
 (Including 504 Plans)**

Cristi Johnson
 Director of Student Services
 3105 "G" Street, Merced, CA 95340
 Phone: 209-325-2120
 E-mail: cjohnson@muhsd.org

For Title 5 (Uniform Complaints):

Ralph Calderon
 Deputy Superintendent
 3430 "A" St. Atwater CA 95301
 Phone: 209-325-2010
 E-mail: rcalderon@muhsd.org

For Title II (Teacher & Principal Preparation):

Scott Weimer, Ed.D
 Assistant Superintendent
 3430 "A" St. Atwater CA 95301
 Phone: 209-325-2031
 E-mail: sweimer@muhsd.org

You can report discrimination and harassment based on sex to any district staff member or to the District's Title IX Coordinator, listed above. You also have the right to file a complaint (see below). For a copy of your District's nondiscrimination policy and procedure, contact your school, the District Office or view it online here :<https://www.muhsd.org/educational-services/equity-accountability/new-page>

DEFINITION OF SEXUAL HARASSMENT

Students are protected against sexual harassment committed by anyone, including third parties, in any school program or activity, including on the school campus, on the school bus, or off-campus during a school-sponsored activity.

Sexual harassment is unwelcome verbal, visual, or physical behavior that is sexual in nature when:

- A student is led to believe that he or she must submit to unwelcome sexual conduct or communications as a condition of the student's academic status or progress, or the conduct is used as a basis for any decision affecting the student regarding a benefit or service, honors, a place on a sports team, programs, or other District activities, or
- The conduct has the purpose or effect of having a negative impact on a student's educational performance, or creates an intimidating, hostile or offensive educational environment.

Examples of Sexual Harassment:

Pressuring a person for sexual favors
 Unwelcome leering, sexual flirtations or propositions

Unwelcome touching of a sexual nature such as massaging, grabbing, fondling, stroking or brushing the body, or touching an individual's body or clothes in a sexual manner
 Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
 Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
 Graphic verbal comments about an individual's body, or overly personal conversation
 Writing graffiti of a sexual nature
 Distributing sexually explicit texts, emails, pictures, derogatory posters, notes, stories, cartoons, drawings, obscene gestures, or computer-generated images
 Making sexual jokes, rumors, or suggestive remarks
 Displaying sexually suggestive objects
 Sexual violence, including rape, sexual battery, sexual assault, sexual coercion, or other sexual violence offenses under Education Code section 48900(n)
 Dating violence, stalking, and relationship abuse based on gender or sex.

Nondiscrimination Notice

In accordance with all applicable federal, state, and local laws, as well as its own board policies, the Merced Union High School District (the "District") prohibits unlawful discrimination, harassment, intimidation, or bullying, based on race, ethnicity, ethnic group identification, color, nationality, national origin, ancestry, age, religion, political affiliation, sex, gender, sexual orientation, gender identity, gender expression, mental or physical disability, medical condition, genetic information, marital or parental status, pregnancy, familial status, immigration status, military and/or veteran status, Boys Scouts and other designated youth groups, or any other legally protected status, the perception of one or more of such characteristics, or the association with a person or group with one or more of these actual or perceived characteristics, in any District program or activity.

Inquiries on all matters, including complaints, regarding compliance, may be referred to the Title IX Coordinator & Nondiscrimination Officer: Brett Nickelson, Director of Human Resources, bnickelson@muhsd.org 209-325-2011; Title II Coordinator: Dr. Scott Weimer, Assistant Superintendent, 209-325-2031; and 504 Coordinator, Cristi Johnson, Director, 209-325-2121 3430 A Street, Atwater, CA 95301.

Students also have the right to file a formal complaint (see below). For a copy of the District's sexual harassment policy and procedure, contact your school, the District Office, or view it online here: <https://www.muhsd.org/educational-services/equity-accountability/new-page>. Regardless of whether a formal complaint is filed, the District has a responsibility to conduct some level of investigation for any report of discrimination or sexual harassment.

Uniform Complaint Procedures: Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying: State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs., tit. 5, § 4620.) Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (Ed. Code, § 32261) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), actual or potential parental, family, or marital status, pregnancy (including childbirth, false pregnancy, termination of pregnancy, or recovery therefrom), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (Ed. Code, §§ 210-214, 220 et seq., 234 et seq.; Cal. Code Regs., tit. 5, § 4900 et seq.; 20 U.S.C. § 1681 et seq.; 29 U.S.C. § 794; 42 U.S.C. § 2000d et seq.; 42 U.S.C. § 12101 et seq.; 34 C.F.R. § 106.9) The District prohibits discrimination, harassment, intimidation, bullying, and retaliation in all acts related to school activity or attendance. In addition to being the subject of a complaint, a pupil engaging in an act of bullying as defined by Education Code section 48900(r) may be suspended from school or recommended for expulsion. The District's Uniform Complaint Procedures may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650; Ed. Code, §§ 234 et seq., 48900(r)) (a) Any individual, public agency or organization has the right to file a written complaint alleging that he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, §§ 4610, 4630(b)(1)) (b) Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622) (c) Complaints must usually be filed with the superintendent/designee of the District. (d) Discrimination complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, the complainant may file a written request with the district superintendent or designee for an extension of up to ninety (90) days following the six (6) month period. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, § 4630(b)) **Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying:** The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying. (e) Written complaints may be made regarding: (i) Adult Education (ii) After School Education and Safety (iii) Agricultural Career Technical and/or Vocational Education (iv) American Indian Education Centers and American Indian Early Childhood Education (v) Bilingual Education (vi) California Peer Assistance and Review Programs for Teachers (vii) Consolidated Categorical Aid Programs (viii) Migrant Child Education Programs (ix) Every Student Succeeds Act (formerly No Child Left Behind) (x) Career Technical and Technical Education and Technical Training Programs (xi) Child Care and Development (xii) Child Nutrition (xiii) Compensatory Education (xiv) Consolidated Categorical Aid (xv) Economic Impact Aid (xvi) Special Education (xvii) "Williams Complaints" (xviii) Pupil Fees (xix) Instructional Minutes for Physical Education (xx) Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP) (xxi) Pregnant and Parenting Pupils, including parental leave (xxii) Student Parent Lactation Accommodations (xxiii) Course Assignments already Completed or without Educational Content (xxiv) Physical Education Instructional Minutes (xxv) Foster Youth, Homeless Youth, former Juvenile Court School Student Services, Migrant Youth, and Pupils of Military Families (xxvi) Regional Occupational Centers and Programs (xxvii) Continued Education Options for Former Juvenile Court School Students (xxviii) School Safety Plans (xxix) School Plans for Student Achievement (SPSA) (xxx) Tobacco-Use Prevention Education (xxxi) School Site Councils (xxxii) State Preschool (xxxiii) State Preschool Health and Safety Issues in Local Education Agencies Exempt From Licensing (xxxiv) Any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code section 64000 (xxxv) Any other educational programs the Superintendent deems appropriate (Cal. Code Regs., tit. 5, §§ 4610(b), 4622, 4630; Ed. Code, §§ 222, 4845.7, 8200- 8498, 8500-8538, 32289, 33315, 33380-33384, 35186, 41500-41513, 46015, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 49490-49590, 49701, 51210, 51223, 51225.1, 51225.2, 51226-51226.1, 51228.1, 51228.2, 51228.3, 52060-52075, 52160-52178, 52300-52490, 52334.7, 52500-52616.24, 52800-52870, 54000- 54029, 54400-54425, 54440-54445, 54460-54529, 56000-56867, 59000-59300, 64001; 20 U.S.C. §§ 1400, 4600, 6601, 6801, 7101, 7201, 7301 et. seq.; Health & Saf. Code, §§ 1596.792, 1596.7925, 104420) Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed above. (Cal. Code Regs., tit. 5, § 4630(b)(1)) Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622) Complaints must usually be

filed with the superintendent or designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630(b)) Within 60 days from the date of receipt of the complaint, the District's responsible officer or his/her designee shall conduct and complete an investigation of health and Safety Issues in Local Education Agencies Exempt From Licensing (xxxiv) Any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code section 64000 (xxxv) Any other educational programs the Superintendent deems appropriate (Cal. Code Regs., tit. 5, §§ 4610(b), 4622, 4630; Ed. Code, §§ 222, 4845.7, 8200- 8498, 8500-8538, 32289, 33315, 33380-33384, 35186, 41500-41513, 46015, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 49490-49590, 49701, 51210, 51223, 51225.1, 51225.2, 51226-51226.1, 51228.1, 51228.2, 51228.3, 52060-52075, 52160-52178, 52300-52490, 52334.7, 52500-52616.24, 52800-52870, 54000- 54029, 54400-54425, 54440-54445, 54460-54529, 56000-56867, 59000-59300, 64001; 20 U.S.C. §§ 1400, 4600, 6601, 6801, 7101, 7201, 7301 et. seq.; Health & Saf. Code, §§ 1596.792, 1596.7925, 104420) Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed above. (Cal. Code Regs., tit. 5, § 4630(b)(1)) Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622) Complaints must usually be filed with the superintendent or designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630(b)) Within 60 days from the date of receipt of the complaint, the District's responsible officer or his/her designee shall conduct and complete an investigation of the complaint in accordance with local procedures adopted pursuant to California Code of Regulations, title 5, section 4621 and prepare a written decision. The time period may be extended by mutual written agreement of the parties. (f) Williams Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened timeline for the following areas: (Ed. Code, §§ 8235.5, 35186) (i) Insufficient textbooks and instructional materials; (ii) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils; (iii) Noncompliance with the requirement of Education Code section 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products; (iv) Teacher vacancy or misassignment; or (v) Noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code section 1596.7925 and related state regulations. A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction. (g) Pupil Fees Complaints: A pupil enrolled in the District shall not be required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Ed. Code, § 49010 et seq.)

A pupil fee includes, but is not limited to, all of the following: a fee charged to a pupil as a condition for registering for school or classes, as a condition for participation in a class or an extracurricular activity, as a security deposit to obtain materials or equipment, or a purchase that a pupil is required to make to obtain materials or equipment for an educational activity. A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant not satisfied with the decision of the school may appeal the decision to the California Department of Education. (h) Foster, homeless, former juvenile court pupils and pupils in military families: the District will post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in Education Code sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Complaint options for sex discrimination and sexual harassment If you believe that you have experienced discrimination on the basis of sex or sexual harassment at school, you have the right to file a complaint with the **District** or the **Office for Civil Rights** ("OCR"). If a crime is involved, such as sexual assault or rape, individuals may also file a report with the **local police department**. A person may pursue one or all of these avenues at the same time. Incidents involving suspected child abuse shall be reported to law enforcement under the District's mandated reporting procedures. Additionally, the school principal may be required to report other incidents to law enforcement under Education Code section 48902. Before filing a complaint, you can discuss your concerns with the school Principal, with the District's Director of Student Support or Title IX Coordinator/Compliance Officer, who are listed above. This is often the fastest way to address and resolve your concerns.

BP 5145.7-The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the complaint will be investigated.

BP 5131.2- Students may submit to a teacher or administrator a verbal or written report of conduct they consider to be bullying. Reports of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 (Sexual Harassment).

School-Level Reporting Process/Grievance Procedure

Reports of bullying/harassment or sexual harassment prohibited by the district's Non-discrimination/Harassment policy. Reports of bullying/harassment or sexual harassment **shall be** handled in accordance with the following procedure:

1. Notice and Receipt of Report:

Any student who believes he/she has been subjected to bullying/ harassment or sexual harassment or who has witnessed bullying/ harassment or sexual harassment may file a report with any school employee.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint. Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

2. Supportive Measures:

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

3. Formal Complaint Process:

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

1. The district's formal Title IX complaint process, including any informal resolution process

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

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

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

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

During the investigation process, the district shall:

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

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

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

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

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

6. Send in an electronic format or hard copy to both parties and their advisors, if any, any evidence that is obtained as part of the investigation that is directly related to the allegations raised in the complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained by a party or other source, so that each party can meaningfully respond to the evidence and have at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

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

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response 9. After sending the investigative report to the parties for review and before a decision-maker reaches a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The district shall maintain confidentiality and/or privacy rights of all parties to the complaint in accordance with applicable state and federal laws, except as may be permitted or required by law or to carry out the purposes of this formal Title IX complaint process. If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

4. Informal Resolution Process:

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

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

2. Obtains the parties' voluntary, written consent to the informal resolution process

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

5. Factors in Reaching a Determination:

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45) The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45) The written decision shall be issued within 45 calendar days of the receipt of the complaint. The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45) In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45) The written decision shall include the following: (34 CFR 106.45)

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

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

3. Findings of fact supporting the determination

4. Conclusions regarding the application of the district's code of conduct to the facts

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

6. The district's procedures and permissible bases for the complainant and respondent to appeal.

Appeal Options. If you do not agree with the District's decision, state law provides the option to file a formal appeal with the California Department of Education - Office of Equal Opportunity. This is a separate process that can take place if one of these two conditions has occurred: (1) you have completed the District's complaint and appeal process (if any) and you disagree with the decision, or (2) the District has not followed its complaint and appeal process correctly.

You have 20 calendar days to file an appeal with the California Department of Education - Office of Equal Opportunity from the day you received the decision of the District.

You can send your written complaint to:

California Department of Education - Office of Equal Opportunity:

Email: oeoinfo@cde.ca.gov **Phone:** 916-445-9174 **Fax:** 360-664-2967

Mail or hand deliver: 1430 N Street, Suite 5602, Sacramento, CA 95814-5901

Complaint to the Office of Civil Rights (OCR)

A student may also file a sex discrimination or sexual harassment complaint with OCR. Instructions for filing a complaint can be found at <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

Other forms of discrimination, harassment, bullying and intimidation

The Merced Union High School District Board of Trustees prohibits unlawful discrimination, harassment, intimidation or bullying against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, immigration status, color, mental or physical disability, age, marital or parental status, gender identity, gender expression, or 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.

Students are protected against discrimination, including discriminatory harassment, bullying or intimidation by anyone in any school program or activity, including on the school campus, on the school bus, or off-campus during a school-sponsored activity. Discriminatory harassment, bullying or intimidation includes: physical, written, or verbal conduct, threats, cyber bullying, causing bodily injury to, or committing hate violence against any other student or school personnel based on the targeted person's actual, perceived, or association with a protected characteristic, as listed above.

Cyberbullying includes the transmission of harassing communications, direct threats or other harmful texts, sounds, or images on the Internet, social media or other technologies using a telephone, computer or any wireless communication device. It also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation. (See BP 5131- Conduct; BP 5131.2- Bullying). Cyberbullying will be investigated and may result in disciplinary action, even when the act occurs off campus, if it relates to a school activity or school attendance or causes a substantial disruption, or reasonably foreseeable risk of substantial disruption of school activities.

Non-discrimination bullying, harassment, and intimidation

Students may also experience bullying, harassment or intimidation which is not based on a protected characteristic. The District also takes these concerns seriously. Students are encouraged to report the matter to a Principal or staff member, who can determine what happened, intervene as necessary, and resolve the situation.

Search and Seizure

As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or district property under their control, and may seize illegal, unsafe and prohibited items. No student shall possess, place, keep or maintain any article or material that is prohibited by law or District Policy in lockers, vehicles, desks, bags, or other items assigned to them or under their control while on District property or at a District sponsored event. The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled and has taken measures to prevent such from occurring.

School Lockers

Lockers are available to students for storage of their books and personal property. These lockers are school property provided to students as a convenience only and may be searched periodically for disciplinary, health or safety reasons. Any items contained in a locker shall be considered to be the property of the student(s) to whom the locker was assigned. The school cannot guarantee the safety of the items and assumes no responsibility for the theft of or damage to items stored in these lockers. Students may not decorate or paint lockers and may be held liable for damages which occur from such. Students may not put an additional/personal lock on their locker or the lock may be removed by school officials.

Metal Detectors

In order to deter the presence of weapons and promote the safety of all students, staff and visitors, Merced Union High School District may maintain and use walkthrough metal detectors and hand-held detectors for utilization in schools and at school activities as outlined in the District Policy.

Contraband Canines

The district may also utilize the service of non-aggressive trained detection canines to sniff out and alert to the presence of those substances prohibited by law or District policy.

Automobiles

Any automobile entering district property is subject to search, with or without cause, and without the consent of the student by school officials or police officers.

Surveillance Cameras

Cameras will be used to gather evidence with the hope that the utilization of these types of evidence detection devices may reduce the risk of improper behavior within a school zone and/or the transporting of something harmful inside the school zone. The presence of dangerous items such as weapons and drugs inside our school zone may be reduced and the cameras may serve as a possible deterrent to student misbehavior including fights.

Use of Tobacco Products

Students shall not use or possess tobacco products during school hours or at school related activities. School officials will enforce this policy for any infractions on or adjacent to campus or at activities off campus. Students in possession of tobacco products are subject to being cited under Section 308 of the Penal Code.

Medication

Students on Medication: Parents are to notify the school nurse or other designated certificated school employee if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code, § 49480)

Students needing to take prescribed and/or over-the-counter medication during the school day are required to register their medication in the Health Office. Trained school personnel will assist with the dispensing of such medication as necessary. The following are required before assistance is given:

- 1) A written statement from the student's physician detailing the method, amount, and time schedule for the taking of the medication
- 2) A written statement from the student's parent/guardian requesting the school to assist the student in taking the prescribed medication (EC Section 49423)
- 3) Medication needs to be in its original container

Students may not carry medication on campus EXCEPT Epi-Pen, Rescue Inhalers and Glucagon (EC Section 48900)

Travel Policy

Members of an activity must go and return in school-provided transportation. The only exception is if a parent or guardian requests permission in writing to the school principal prior to the day of the event/activity. The principal and /or designee must approve the request and inform the coach/advisor that the student is to be released to the parent or guardian. It is the responsibility of the coach/advisor to release the student to the parent.

Children in Homeless/Foster Care Situations, Former Juvenile Court School Students, Migrant Students, and Newcomers:

Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (Ed. Code, § 48852.5;

42 U.S.C. § 11432(g)(1)(J)(ii)) The District's liaison is Katina Austin and can be contacted at (209) 325-2112.

A homeless child will be allowed to continue his/her education in their school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child's status changes before the end of the academic year so that he/she is not homeless, the District will allow a child in high school to continue his/her education in the school of origin through graduation. For a child in grades K through 8, the District will allow the formerly homeless child to continue his/her education in the school of origin until the end of the academic school year. A homeless child transitioning between school grade levels will be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district. The new school will be required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or moneys due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including academic records, medical records, proof of immunization history, proof of residency, other documentation, or school uniforms. (Ed. Code, § 48852.7) The District has designated [Name] as the educational liaison for foster children and can be contacted at [Contact Information]. The educational liaison will disseminate a standardized notice to foster children that has been developed by the State Department of Education and includes complaint process information. (Ed. Code, § 48853.5) A foster child shall be allowed to continue his/her education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including academic records, medical records, immunization history, proof of residency, other documentation, or school uniforms. The last school attended must provide all records to the new school within two business days of receiving the request. (Ed. Code, §§ 48853, 48853.5) Upon receiving a transfer request or notification of a student in foster care, the District shall, within two business days, transfer the student out of school and deliver the educational information and records to the next educational placement. Grades and credits will be calculated as of the day the student left school and no lowering of grades will occur as a result of the student's absence due to the decision to change placement or for a verified court appearance or related court activity. (Ed. Code, § 49069.5) The District shall exempt from local graduation requirements a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil participating in a newcomer program for recently arrived immigrant pupils and who transfers between schools under certain circumstances. (Ed. Code, §§ 51225.1, 51225.2) The District shall accept coursework done by a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil in a newcomer program while attending another school. The District will not require those students to retake courses or partial courses they have satisfactorily completed elsewhere. (Ed. Code, § 51225.2) A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District's Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

Services to Students In Transition

The Every Student Succeeds Act (ESSA) and the McKinney-Vento Act of 2015 ensure educational rights and protections for children experiencing homelessness. **Students are guaranteed enrollment in school by the federal law, McKinney-Vento Act, if they live:**

Doubled-up with another family or individual because of financial issues or loss of housing

In a shelter or transitional housing

In a motel, hotel, or weekly rate housing

In an abandoned building, in a car, campground, or on the street

In substandard housing (without electricity, gas, water or heat)

Unaccompanied Youth

Migrant students qualify if they are living in circumstances described above

Under the McKinney-Vento Act, children and youth in homeless situations have the right to:

Go to school, no matter where they live or how long they have lived there

Attend either the local school or the school of origin (based on the best interest of the child)

Receive transportation assistance to and from school of origin

Enroll in school immediately, even if missing records, without parent or legal guardian present (Unaccompanied youth), or lack a permanent address

Have access to the same program and services that are available to all other students

Automatically qualify for free school breakfast and lunch

Receive assistance from the Homeless Liaison in regards to enrollment disputes

If you have questions or believe you qualify please contact the Child and Youth Liaison Niza Crispin-Hernandez at (209) 325-2113 or ncrispen-hernandez@muhsd.org

Behavior Guidelines & Discipline

General School Rules

The Governing Board desires to provide a safe, supportive, and positive school environment conducive to student learning and prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to disengage from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed (Education Code 48900.5)

Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Ed. Code, § 48900(r))

Definitions

A. Home suspension from school means removal of a student from ongoing instruction for adjustment purposes. **Any student assigned a Home Suspension is ineligible for any extracurricular activity for three weeks. A second Home Suspension in a 12 month period invokes a six week**

ineligibility.

B. Expulsion means removal of a student from the immediate supervision and control, or the general supervision of school personnel. (Education Code 48925)

C. Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

D. School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

E. Students include a student's parent/guardian or legal counsel. (Education Code 48925)

F. Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. The names of such persons shall be on file in the principal's office. (Education Code 48911)

G. School property includes, but is not limited to; books, computers, equipment, lockers, facilities, electronic files and databases. (Education Code 48900(s))

H. Other means of correction may include, but not be limited to; Warning, Counseling, Benching, Detention, Class Suspension, Friday/Saturday School, Work Detail, Community Service, Conference, Tutorial, or other intervention-related teams, Participation in a Restorative Justice Programs through Site Intervention Centers, Understanding Drugs and Alcohol (UDA), Creating Opportunities for Personal Empowerment (DRC) or alternative educational programs.

I. Serious Bodily Injury means a serious impairment of physical condition including, but not limited to; loss of consciousness, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and serious disfigurement.

J. Electronic Act means the transmission of a communication, including but not limited to, a message, text, sound, or image by means of an electronic device, including but not limited to a telephone, wireless (cell) phone, or other wireless communication device, computer.

Students and staff have a right to learn and teach within a positive learning and working environment. Therefore the Board believes in the importance of establishing discipline and maintaining order to provide safe and civil schools. These rules allow each school the discretion to impose minimum consequences to correct an undesirable behavior. Depending on the seriousness of the first or succeeding offenses, a student may be recommended for (1) an alternative to home suspension, (2) home suspension, (3) placement into another school or an alternative educational program, or (4) expulsion from all schools in the district.

A student may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to any of the following: (Education Code 48900(s))

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period, whether on or off the school campus.
4. During, going to, or coming from a school-sponsored activity.

During the suspension, the student is expected to remain home under adult supervision and may not attend school activities or be on or around any school campus. Students shall be allowed to make up assignments and tests missed during the suspension by arrangement of the teacher, as provided in the Education Code. Suspended or expelled students shall be denied the privilege of participation in all extracurricular and co-curricular activities during the period of suspension or expulsion.

Site administrators have primary responsibility for enforcement, however, it shall be the duty of each employee of the school to enforce the rules and procedures for school discipline.

E-Discipline (Electronic Related)

Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Ed. Code, § 48900(r))

Students will be allowed to use cell phones and other electronic communication devices on campus during the school day. The exception will be during instructional time. Appropriate use of such devices during instructional time will be at the discretion of, and authorized by, the classroom instructor.

Student use of any electronic listening or recording device in any classroom or throughout the school grounds during the school day without prior consent of a teacher and/or administrator of the school given to promote an educational purpose disrupts and impairs the teaching process and discipline in school, and such use is prohibited. (Education Code 51512)

Electronic communication devices may be confiscated by school personnel, and such items may be confiscated by administration given reasonable suspicion of a rule violation. The school assumes no responsibility for theft or damage to such items.

Obligations: It is the student's responsibility to protect and take care of school property or the property belonging to others and report unsafe conditions or damage to school officials. All textbooks and electronic devices are issued through the library. Students will be required to show their student body card at the time of issuance. Students are responsible for the proper care of textbooks and electronic devices issued to them. Book covers and device covers are required. Students are financially responsible for books and devices that are lost, stolen, or damaged.

It is recommended that book bags not be left with friends, on the ground near classrooms, or in a classroom unattended. It is also advised that students not lend books or their electronic devices to anyone, since the student will be held accountable for these materials.

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion (EC 48900.1,48980)(cf. 5144 - Discipline)

Dress Policy

Philosophy

The Board of Education believes that:

All students should be able to dress comfortably for school without fear of or actual unnecessary discipline or body shaming.

An individual student's clothing/self-expression should not be regulated based upon another student or staff member's personal perspective or discomfort.

Staff can focus on their jobs without the additional and often uncomfortable burden of dress code enforcement. Students should not face unnecessary barriers to school attendance. Reasons for conflict and inconsistent discipline should be minimized whenever possible.

Rationale for Dress Code

There are many purposes for policy governing student dress. The most important purposes include:
Maintaining a safe learning environment in classes where protective or supportive clothing is needed.
Allowing students to wear clothing of their choice that is comfortable.
Allowing students to wear clothing that expresses their self-identified gender.
Allowing students to wear religious attire without fear of discipline or discrimination.
Preventing students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.
Preventing students from wearing clothing with offensive images or language depicting or advocating violence or the use of alcohol or drugs.
Ensuring that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.

1. Basic Principles:

All students are encouraged to dress in a manner that is comfortable and conducive to an active school day. Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming. The student dress code should serve to support all students to develop a body-positive self-image. Clothes must be worn in a way such that genitals, buttocks, breasts, and nipples are fully covered with opaque (not able to be seen through) fabric.

2. Students Must Wear:

Top (with fabric in the front, back, and on the sides under the arms)
Bottom
Shoes

Clothing that covers specific body parts (genitals, buttocks, breasts, and areolae/nipples) with opaque material
*Courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but it should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe requirements are permitted (Examples include but are not limited to physical education and shop class).

3. Students May Choose to Wear:

Hats, including religious headwear (Hats must allow the face to be visible to staff and not interfere with the line of sight of any student). Staff may require students to remove hats, wave caps, hair nets, etc... when they are inside the classroom.
Hoodie sweatshirts (over the head is allowed, but the face and ears must be visible to school staff). Staff may require students to remove hoodies when they are inside the classroom.
Fitted pants, including opaque leggings, yoga pants, and "skinny jeans"
Sweatpants, shorts, skirts, dresses, pants
Shirts where the bottom hem of the top skims the waistband of the bottom when the student is in a normal standing position
Pajamas
Ripped jeans, as long as underwear or buttocks are not exposed.
Tank tops, including spaghetti straps, halter tops, and "tube" (strapless) tops
Athletic attire
Clothing with commercial or athletic logos provided they do not violate the guidelines in the 'CANNOT Wear' section below
Sun-protective clothing, including but not limited to hats, for outdoor use during the school day (Education Code 35183.5).

4. Students CANNOT wear:

Bare midriffs
Violent language or images
Images or language depicting drugs, vaping, paraphernalia, or alcohol (or any illegal item or activity)
Bullet proof vest, body armor, tactical gear, or facsimile.
Hate speech, profanity, pornography
When there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities, students may be prohibited from wearing certain colors of clothing. These gang incidents should be documented.
Images and/or language that create a hostile or intimidating environment based on any protected class or consistently marginalized group.
Visible underwear or bathing suits of similar design - visible waistbands or straps on undergarments worn under other clothing are not a violation .
Helmets, hoods, or any other headgear that obscures the face (except as a religious observance).
Accessories that could be considered dangerous or could be used as a weapon.

*****Administrators shall have the final discretion to determine the appropriateness of attire*****

Tardy Policy

Tardiness is disruptive to the learning process and is the number one reason people are fired from jobs. In order for students to be successful and productive, they must develop habits of punctuality. These habits will contribute not only to academic success, but also to career success in later years. Since tardiness is neither responsible nor productive all MUHSD students will be held accountable for punctuality. Reporting to class on time with books and materials needed for the lesson is the responsibility of the student. Materials include a fully charged device and charging adapter if needed. Tardies will be excused only if the student is tardy for valid reasons verified by school personnel, as described under the site-specific tardiness and attendance policies of this handbook. Tardiness due to oversleeping, missing the bus, car trouble, traffic, etc. are unexcused, even with parent verification. All tardy policies are based on **all tardies acquired for all periods.**

Tardiness in excess of thirty (30) minutes is considered truant according to Education Code 48260, and will be treated as truant in accordance with Board Policy (B.P. 5232).

Tardy sweeps will be conducted randomly, throughout the school year. All students will be assigned a Friday/Saturday School if they are outside class without a pass or signed agenda during the sweep, regardless of the step of tardiness. Tardiness may be reflected in the student's citizenship grade.

Truancy Policy

Each person between the ages of 6 and 18 years is subject to compulsory full-time education. Students may not be absent from school without a valid excuse. While every effort shall be made by school personnel to work toward a change in behavior of each truant student, it is recognized that consequences for truancy must be firm and clear to parents and students. Truant means a student who is **absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year**, or any combination thereof. (Ed. Code Sec. 48260).

Board Philosophy: Absenteeism

The Board believes early identification and cessation of excessive student absences is vital to a school's ability to provide a quality instructional program. Good student attendance enables both students and staff to focus on learning. Identifying the reasons for and attempting to correct a student's excessive absenteeism requires a family, school, and community partnership.

No Academic Penalty for Excused Absence: No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205)

A pupil shall be excused from school when the absence is: (a) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health. (b) Due to quarantine under the direction of a county or city health officer. (c) For the purpose of having medical, dental, optometrical, or chiropractic services rendered. (d) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California. (e) For the purpose of jury duty in the manner provided for by law. (f) 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 doctor's note. (g) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board. (h) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code. (i) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in section 49701 of the Education Code, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position.

Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district. (j) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen. (k) For the purpose of participating in a cultural ceremony or event. (l) Authorized at the discretion of a school administrator based on the facts of the pupil's circumstances, which are deemed to constitute a valid excuse, including, but not limited to, working for a period of not more than five consecutive days in the entertainment or allied industries if the pupil holds a work permit, or participating with a not-for-profit performing arts organization in a performance for a public school pupil audience for a maximum of up to five days per school year provided the pupil's parent or guardian provides a written note to the school authorities explaining the reason for the pupil's absence. (Ed. Code, §§ 48260, 48205, 48225.5) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments. "Immediate family," as used in this section refers to the parent or guardian, brother or sister, grandparent, or any relative living in the household of the pupil. (Ed. Code, § 48205)

(Ed Code Sec. 46014) Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code. Such absence shall not be deemed absence in computing average daily attendance, if all of the following conditions are complied with:

(a) The governing board of the district of attendance, in its discretion, shall first adopt a resolution permitting pupils to be absent from school for such exercises or instruction.

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

It is hereby declared to be the intent of the Legislature that this section shall be permissive only.

Attendance Procedures: The Attendance office staff is available from 7:00am to 3:30pm to receive phone calls and notes regarding absences. An answering machine is available to take your calls after hours. Absences must be cleared within 48 hours or they will be documented as unverified. Teachers allow make-up work for all absences. It is the student's responsibility to request missed assignments and homework. A note, written by the parent/guardian, on the day of return to school is also acceptable. This note must state the student's name and birth date, the date, and reason for the absence, and must be signed by the parent, turned in to the Attendance office upon return to school. Please write down a phone number where your parents can be reached for verification or clarification. (E.C. 48205, B.P. 5113, 5113.1)

Excessive Absence Policy: The Board of Trustees believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

Truancy: Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse. Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. Thus, a pupil becomes an "habitual truant" if s/he is absent without valid excuse six full days in one school year or tardy for more than any 30-minute period, or absent during the school day (cutting) without a valid excuse on six occasions in one school year, or any combination thereof. Students who are classified as habitual truants may be subject to any/all of the following: (a) required attending Saturday school; (b) Loss of extracurricular and co-curricular privileges for additional 9 weeks. (c) referred to the local School Attendance and Review Board (SARB); (d) referred to the District Attorney; (e) transferred to an alternative education program. Parents/guardians of truant students may be fined in Court for their failure to insure attendance at school. Public assistance benefits may be reduced to families for pupils who are absent without a valid excuse from school for more than one school day per month.

Senior 90% attendance rule: Seniors are required to maintain a minimum of 90% attendance during the school year. Those seniors who fail to attend school at a 90% rate may be denied the privilege of participating in senior activities and the graduation ceremony.

Leaving School Grounds: The governing board of the Merced Union High School District, pursuant to section 44808.5 of the Education Code, the Governing Board has decided to permit the pupils enrolled at Merced Union High School to leave the school grounds during the lunch period. Section 44808.5 of the Education Code further states: "Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section." (Ed. Code, § 44808.5)

First Step (3rd date of unexcused absence) - The student will be advised of the mandatory attendance laws and the school prescribed consequences, and instructed to attend all classes. Parent/guardian contact will be made in the most cost-effective method possible, including email or a telephone call. School counseling and intervention by attendance liaison and/or counselor. Alternative consequences may be assigned.

Second Step (5th date of unexcused absence) - The student's parent/guardian will be informed in the most cost-effective method possible, including email or a telephone call, of their legal responsibilities. The student is again directed to attend all classes and advised of the mandatory attendance laws and the school's prescribed consequences. The student and parents are notified that failure to follow the school's directives shall be treated as "defiance of authority".

School counseling and intervention by AP and/or counselor. Alternative consequences may be assigned.

Third Step (6th date of unexcused absence) - Student is now a habitual truant. Student will be referred to the Associate Principal who, along with the Attendance Supervisor, will arrange for a School Attendance Review (SART) meeting, where a corrective action plan will be developed with parental input. The student will again be directed to attend all classes unless excused for legal reasons. The parents or guardians and students will be informed that failure to follow this directive will be considered "defiance of authority" and the next incident may lead to loss of extracurricular and co-curricular eligibility as well as a referral to law enforcement. Alternative programs, including the need for additional counseling will be discussed.

Referral to SART (Student Attendance Review Team). A corrective action plan will be developed with students and parents to improve attendance. Alternative consequences may be assigned.

Fourth Step (any date on or after 7th unexcused absence)- Students will be referred to the Associate Principal. The student is now a legal habitual truant and may fall under the jurisdiction of the juvenile court. (Education Code Section 48200) The Associate Principal shall call and hold a parent conference. Parents/guardians and students are again informed that failure to follow the school's directive to attend classes will be "defiance of authority" and may be grounds for involuntary transfer to an alternative program.

Students shall be declared ineligible from extra-curricular and co curricular activities for nine (9) weeks from the date the conference is held. *Students may earn back privileges by showing improvement.

Referral to an Alternative Program may be made. Alternative consequences may be assigned.

Fifth Step (any date on or after 8th unexcused absence) – Students will be referred to the Associate Principal. The parents and the student will be informed that the next incidence of refusal to attend classes upon the direction of school authorities may result in a referral to the District's Alternative Program Screening Committee. It shall be recorded that the student is again truant.

Students referred to SARB (School Attendance Review Board).

Referral to School Resource Officer for arrest (during SARB meeting, the parent &/or the student may be cited).

Loss of extracurricular and co-curricular privileges for additional 9 weeks.

Work permit revoked. *

*Students may earn back privileges by showing improvement.

Alternative consequences may be assigned.

Alternative educational programs may be assigned.

Sixth Step (any date on or after 9th unexcused absence)- A first class letter shall be sent to the parents/guardians informing them that their student has had additional incidents of truancy since being declared a legal habitual truant (Education Code 48262) and has been in "persistent defiance of authority." A Corrective Action Plan and sanction recommendation may be initiated.

Students and/or parents may be referred to the Merced County District Attorney for prosecution in juvenile and/or adult court.

Loss of extracurricular and co-curricular privileges for additional 9 weeks.

Grounds for Suspension & Expulsion

A. Causes for Mandatory Recommendation for Expulsion (Education Code 48915) Except as provided in subdivision (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 expulsion is inappropriate, due to the particular circumstance:

Expulsion Offenses (1-5) - Mandatory Suspension/Mandatory Expulsions (The Big Five, Most Serious Offenses). Principal shall immediately suspend, pursuant to Education Code 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 (Education Code 48915(c)). The Board shall order a pupil expelled upon finding that the pupil committed an act listed in Education Code 48915(c) and shall refer the pupil to an Alternative program of study (Education Code 48915(d)):

A1. **Possessing, selling, or otherwise furnishing a firearm.** (Education Code 48915 (c)(1), PC 417.8, 626.9, 12001, 12020))

A2. **Brandishing a knife at another person.** (Education Code 48915 (c)(2))

A3. **Unlawfully selling a controlled substance listed in Chapter 2** (commencing with Section 11053) of Division 10 of the Health and Safety Code. (Education Code 48915(c)(3))

A4. **Committing or attempting to commit a sexual assault** as defined in subdivision in Education Code 48900(n) **or committing a sexual battery** as defined in Education Code 48900(n). (Education Code 448915(c)(4))

A5. **Possession of an explosive.** (Education Code 48915(c)(5))

NOTE: The known possession of a firearm, loaded or unloaded, brandishing a knife, unlawfully selling a controlled substance, committing a sexual assault or battery, or possession of an explosive at school or a related activity, will result in an immediate suspension and recommendation for expulsion. If the Board upholds an expulsion recommendation after the appropriate expulsion hearing, the student shall be expelled for one calendar year from the date of the offense unless the Board sets an earlier date for readmission, which will be determined on a case by case basis. Referral to an alternative program will be required. (Education Code 48916(a))

Expulsion Offenses (6-10) – Mandatory Recommendation/Permissive Expulsions (Very Serious Offenses). Allowance for a Review of Circumstances. For the following offenses, the Principal must recommend expulsion of the pupil unless the Principal finds that expulsion is inappropriate under the circumstances. While the recommendation is mandatory, expulsion is not. A non-expulsion recommendation must be made in writing to the Board, if the decision is not to recommend expulsion. If the decision is to recommend expulsion, the Board must find that: a) Other means of correction

are not feasible or have repeatedly failed to bring about proper conduct; and/or b) Due to the nature of the act, the presence of the pupil causes a continuing danger to the safety of the pupil or others.

A student may be subject to suspension or expulsion when it is determined that he/she committed one of the following acts:

A6. **Causing serious physical injury to another person except in self defense.** (Education Code 48915 (a) (1), Penal Code 243)

The principal or designee shall, prior to the suspension or expulsion of any pupil, notify the police of any assault with force likely to produce great bodily injury, with or without a weapon. (Education Code 48902 (a), Penal Code 245 (Assault with a deadly weapon))

A7. **Possession of any knife, or other dangerous object of no reasonable use to the pupil.** (Education Code 48915 (a) (2))

Dangerous Object - An instrument capable of causing serious physical injury (includes look-alike weapon or imitation firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m)) This also includes but is not limited to possession, use, and/or sale of destructive/explosive device (bomb), M-80's, cherry bombs, fire-crackers, fireworks and live ammunition.

A8. **Unlawful possession of any controlled substance** listed in Chapter 2, (commencing with 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis. (Education Code 48915(a)(3)) First offense for marijuana "spice" or "salvia" requires consequences outlined in B.1.

A9. **Committed robbery or extortion.** (Education Code 48915(a)(4))

Robbery - Taking of property from a person's possession against his/her will by means of force or fear.

Extortion - Obtaining property from another person through use of force or fear.

A10. **Assault or battery upon any school employee,** as defined in Penal Code 240 and 242. (Education Code 48915 (a) (5))

NOTE: Whenever school personnel are threatened by any pupil, it is mandatory for the employee and the employee's supervisor, if the supervisor has knowledge of the incident, to promptly report the incident to law enforcement authorities. (Education Code 44014, Penal Code 71) home suspension on the date of graduation will not participate in the graduation ceremony. (BP 6145)

B. Causes for Possible Suspension/Expulsion on the First Offense. (Education Code 48900)

NOTE: Depending on the seriousness of the act, a suspension and expulsion may be immediately recommended on the 1st offense. Failure to complete an intervention will result in a five-day suspension and/or additional behavioral consequences.

Suspension/Expulsion Offenses B1 - B19 are classified as Permissive Recommendations for Expulsions (Education Code 48915(e)) and require a complete investigation of circumstances surrounding the behavioral infraction triggering the recommendation for expulsion. Upon a recommendation by the Principal, the Board may order a pupil expelled upon a finding that the pupil violated Education Code 48900(f) through (r), or Education Code 48900.2 (sexual harassment), Education Code 48900.3 (hate violence), Education Code 48900.4 (intimidation), or Education Code 48900.7 (terroristic threats). With regard to these violations, the additional finding that other means of correction are not feasible or have repeatedly failed to bring about proper conduct and/or that this pupil's continued presence creates a danger to the physical safety of the pupil or others must be made.

B1. **Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance** as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. Sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. Unlawfully offered, arranged to sell, or sold the prescription drug Soma. (Education Code 48900(c), 48900(d), 48900(p))

1st Offense: Students may attend Understanding Drugs and Alcohol (U.D.A.) or other means of correction in lieu of suspension/expulsion. Students are not eligible for extracurricular activities while attending U.D.A. If a student is suspended instead of participating in the intervention, the student will have a loss of eligibility for three weeks. Possible notification of appropriate law enforcement agency. Students may attend and successfully complete district-approved substance abuse programs other than the UDA.

2nd Offense: Possible recommendation for expulsion, or other means of correction assigned may include students attending Understanding Drugs and Alcohol (U.D.A.). Students are not eligible for extracurricular activities while attending U.D.A. If it is a second offense within a 12-month time period there is an automatic loss of eligibility of six-weeks. Notification of appropriate law enforcement agency if applicable.

NOTE: The second offense occurring during any subsequent school year may result in a recommendation for expulsion.

3rd Offense: Other means of correction may include Tier 2 of U.D.A. Student is ineligible for extracurricular activities for six weeks.

4th Offense: Immediate suspension, possible recommendation for expulsion.

B2. **Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia,** as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

1st Offense: Other means of correction assigned may include one day IC and Suite 360 Curriculum. Notification of appropriate law enforcement agency if applicable. Community service may also be required.

2nd Offense: Other means of correction assigned may include two days in IC. If it is a second offense within a 12-month time period there is an automatic loss of eligibility of six-weeks. Notification of appropriate law enforcement agency if applicable.

3rd Offense: Other means of correction may include three days in IC, parent conference, and behavior contract.

4th Offense: Suspension and parent conference.

5th Offense: Suspension, possible recommendation for expulsion.

NOTE: The second offense occurring during any subsequent school year may result in a recommendation for expulsion.

B3. **Stole or attempted to steal school property or private property. Knowingly received stolen school property or private property.** (Education Code 48900 (g), 48900 (l), Penal Code 487, 488) Being in possession of another person's property, including computer passwords or files, without permission, is prima facie evidence of theft. Restitution may be a necessary requisite for a satisfactory condition of re-admittance. Any item valued at \$950 or above is considered Grand Theft and will be reported to law enforcement.

1st Offense: One to three-day referral to IC and completion of Suite 360 Curriculum. Other means of correction assigned may include restitution and parent conference. Notification of appropriate law enforcement agency if appropriate

2nd Offense: Parent/student conference, possible suspension and parent conference. Other means of correction may be assigned. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six-weeks. May refer the student to an alternative educational program.

3rd Offense: Parent/student conference, immediate suspension.

4th Offense: Immediate suspension possible recommendation for expulsion.

B4. **Caused or attempted to cause damage to school property or private property** - cutting, defacing, tagging, changing information on district servers, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Education Code 48900 (f))

1st Offense: One to three days IC and completion of Suite 360 Curriculum.. Notification of appropriate law enforcement agency at the discretion of the

administration.

2nd Offense: IC remainder of day plus one day suspension. Other means of correction may be assigned. If this is a second offense within a 12 month time period, the student automatically loses eligibility for six-weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Three-day suspension.

4th Offense: Suspension and possible recommendation for expulsion.

NOTE: The parent or guardian will be held responsible for damages to school district property and restitution for damages. The parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of the person(s) causing damage. (EC 48904, PC 594, Civil Code 1714.1)

B5. **Fire-setting, attempted fire-setting or bomb threat - including the activation of false alarms or tampering with emergency equipment.** (Penal Code 148.1, 148.4)

1st Offense: Possible suspension. Other means of correction assigned may include parents and students participating in Threat Assessment if administration deems necessary, completion of Suite 360 Curriculum in IC. If student is suspended, there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agencies is at the discretion of the administration. May recommend expulsion.

2nd Offense: Three to five-day suspension. May recommend expulsion. Notification of appropriate law enforcement agency is at the discretion of the administration.

3rd Offense: Suspension and recommendation for expulsion.

NOTE: The parent or guardian will be held responsible for damages to school district property and restitution for damages. The parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of the person(s) causing damage. (Education Code 48904, Penal Code 594, Civil Code 1714.1)

B6. **Made terrorist threats against school officials and/or school property.** (Education Code 48900.7) "Terrorist threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.

1st Offense: Possible suspension. Other means of correction may include parents and students participating in Threat Assessment if administration deems necessary, completion of Suite 360 Curriculum in IC. If student is suspended, there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agencies is at the discretion of the administration. May recommend expulsion.

2nd Offense: Three to five-day suspension. May recommend expulsion.

3rd Offense: Suspension and recommendation for expulsion.

NOTE: Threatening school personnel requires mandatory notification of law enforcement authorities. (Education Code 44014, Penal Code 71)

B7. **Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense.** (Education Code 48900 (a), Penal Code 415, 415.5)

1st Offense: Possible suspension. Other means of correction may include parent(s) and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, student attending and successfully completing Suite 360 Curriculum in IC. If student is suspended, student will have loss of eligibility for three-weeks. Notification of appropriate law enforcement agency if appropriate.

2nd Offense: parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Additional means of correction may be assigned, such as tier 2 of the Day Reporting Center (DRC). Students are not eligible for extracurricular activities while attending DRC. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program and/or recommend for expulsion.

3rd Offense: Parent/student conference, immediate suspension, and may recommend expulsion. Notification of appropriate law enforcement agency.

B8. **Used, attempted to cause, threatened to cause, or participated in an act of hate violence** as defined in EC 233 (e). (EC 48900.3) PC 422.6 defines a hate crime as the use of force or threat of force that injures, intimidates, interferes with, oppresses, or threatens a person in the enjoyment of any right because of the person's race or ethnicity, religion, national origin, disability, gender, or sexual orientation or perception thereof. This includes defacing, damaging, or destroying a person's personal property.

1st Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include students attending the Day Reporting Center program for up to 2 days. This time allows the referring site to prepare interventions for the behavior. If a student is suspended, there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of administration.

2nd Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction may be assigned, such as tier 2 of DRC in lieu of suspension. Students are not eligible for extracurricular activities while attending DRC. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Parent/student conference, immediate suspension, and may recommend expulsion. Notification of appropriate law enforcement agency at the discretion of the administration.

B9. **Aiding and Abetting the infliction or attempted infliction of physical injury to another person,** as defined in Penal Code 31. (Education Code 48900 (s), 48915 (b))

1st Offense: Parent/student conference, possible suspension. Parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include students attending the (DRC) program and the subsequent Student Study Team Meeting to discuss implementations of interventions. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

2nd Offense: Parent/student conference, possible suspension. Parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include participating in tier 2 of DRC. Students are not eligible for extracurricular activities while attending DRC. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Parent/student conference, immediate suspension, and may recommend expulsion. Notification of appropriate law enforcement agency at the discretion of the administration.

Note: A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in PC 31, may be suspended, but not expelled on first offense. However, such a student may be suspended or expelled pursuant to EC 48900 (a) when s/he has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury.

B10. **Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.** (Education Code 48900 (o))

1st Offense: Possible referral to IC and completion of Suite 360 Curriculum, possible suspension, parent, and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, student attending the (DRC) program and the subsequent Student Study Team Meeting to discuss implementations of interventions. Students are not eligible for extracurricular activities while attending DRC. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of administration.

2nd Offense: Parent/student conference, possible suspension, and recommendation for expulsion, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction may be assigned, such as tier 2 of DRC.. Students are not eligible for extracurricular activities while attending DRC. If this is the second offense within a 12-month time period, student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

B11. Intentionally engaged in harassment, agitation, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900 (a), 48900.4, Penal Code 415, 415.5)

1st Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include students attending the (DRC) program and the subsequent Student Study Team Meeting to discuss implementations of interventions. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of administration.

2nd Offense: Parent/student conference, and possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction may be assigned such as tier 2 of DRC. in lieu of suspension. Students are not eligible for extracurricular activities while attending DRC. If this is the second offense within a 12-month time period, student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program.

3rd Offense: Parent/student conference, immediate suspension, parent and student to participate in Threat Assessment if administration deems necessary. Possible recommendation for expulsion. Notification of appropriate law enforcement agency at the discretion of the administration.

NOTE: Threatening or intimidating school personnel requires mandatory notification of law enforcement agencies. (Education Code 44014, Penal Code 71)

B12. Committed, or attempted to commit, hazing, sexual harassment, or any act that injures, degrades, or disgraces any other person at school. (Education Code 32050-32052, 48900.2, 48905, 48900 (q), 212.5, PC 245.6)

1st Offense: Parent/student conference, referral to IC, and completion of Suite 360 Curriculum, possible suspension. Other means of correction assigned may include, student attending the (DRC) program and the subsequent Student Study Team Meeting to discuss implementations of interventions. Students are not eligible for extracurricular activities while attending DRC. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program or recommend expulsion. Possible removal from campus or isolation of student.

2nd Offense: Suspension. If this is the second offense within a 12-month time period, student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program or recommend expulsion.

3rd Offense: Suspension and recommendation for expulsion.

B13. Upbraiding, insulting, or abusing teachers or other school personnel. (EC 48900 (k))

1st Offense: Referral - 2 periods IC (from referring teacher's class). Parent contact. Mediation between teacher and student should occur.

2nd Offense: Parent/student conference. Two-day referral to DRC. Mediation between teacher and student should occur. Students are not eligible for extracurricular activities while attending DRC. If this is the second offense within a 12-month time period, student automatically loses eligibility for six weeks. Removal from class is possible at the discretion of the administration

3rd Offense: Parent/student conference, immediate suspension. Completion of tier 2 of DRC and/or Suite 360 Curriculum. May refer to an alternative education program or recommend expulsion if all interventions have failed.

4th Offense: Suspension and recommendation for expulsion.

B14. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

1st Offense: Parent/student conference, immediate one to three-day referral to IC, suspension possible based on severity, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, completing Suite 360 Curriculum or attending the (DRC) program and the subsequent Student Study Team Meeting to discuss implementations of interventions. Students are not eligible for extracurricular activities while attending DRC. If a student is suspended; there is an automatic loss of eligibility for three weeks. Removal from class is possible at the discretion of the administration. Failure to remove social-media may result in additional disciplinary consequences. Acts of cyberbullying may result in revocation of student's Responsible Use Policy (RUP) for a period of time determined by administration.

2nd Offense: Parent/student conference, suspension, parent and student to participate in Threat Assessment if administration deems necessary. If this is the second offense within a 12-month time period, student automatically loses eligibility for six weeks. Removal from class is possible at the discretion of the administration. Failure to remove social-media may result in additional disciplinary consequences. Acts of cyberbullying may result in revocation of student's Responsible Use Policy (RUP) for a period of time determined by administration. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Parent/student conference, immediate suspension, parent and student to participate in Threat Assessment if administration deems necessary. Recommendation for expulsion. Notification of appropriate law enforcement agency.

NOTE: Bullying means one or more acts by a student or group of students that constitute: Threats to cause physical injury; Disruption of School Activity; Sexual Harassment; Hate Violence; Harassing, threatening or intimidating a pupil witness in a disciplinary proceeding; Harassment, threats or intimidation of students or staff; Cyberbullying or exclusionary acts of bullying.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to:

a. A message, text, sound, video, or image

b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

B15. Any act of defiance or disobedience

Either in language or in action against school personnel or refusing to comply with the reasonable request or orders of school personnel. (Education Code 48900 (k))

1st Offense: Mediation between student and school personnel should occur. Other methods of correction may be assigned at the discretion of the administration.

2nd Offense: Referral to IC and completion of Suite 360 Curriculum. Mediation between student and school personnel should occur. Parent contact.

3rd Offense: Referral to IC and completion of Suite 360 Curriculum, parent conference.

4th Offense: One-day Suspension, behavior contract, referral to counseling, parent conference.

5th Offense: Two-day suspension, parent conference.

6th Offense: Refer student to SARB Hearing for Behavior.

7th Offense: Referral to alternative education.

Note: Continued acts of defiance or disobedience may include, but not limited to, referral to the MUHSD anger management program (DRC.) and/or clinician, behavioral contract, SST or possible class change at the discretion of the administration.

B16. Failing to identify oneself or giving false information to school personnel. (Education Code 48900 (k))

1st Offense: Other means of correction may be assigned at the discretion of the administration

2nd Offense: Other means of correction may be assigned at the discretion of the administration.

B17. Willful disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the, including district servers, websites, databases, or other information systems. (Education Code 48900 (k)(1)) **performance of their duties.**

1st Offense: Student conference. Other means of correction may be assigned at the discretion of the administration. Notification of appropriate law enforcement agency at the discretion of the administration.

2nd Offense: Parent and student conference. Other means of correction may be assigned at the discretion of the administration. Notification of appropriate law enforcement agency at the discretion of the administration.

NOTE: Restitution for damages may be assessed to student's obligations

B18. Possessed or used tobacco or any products containing or related to tobacco or nicotine products, including but not limited to cigars, cigarettes, electronic cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900 (h), 48900 (k), 48901)

1st Offense: Warning and parent contact.

2nd Offense: Parent contact and referral to IC and completion of Suite 360 Curriculum.

3rd Offense: Parent/student conference, one-day referral to IC and completion of Suite 360 Curriculum.

4th Offense: One-day suspension.

B19. Forgery, falsifying, or altering school correspondence, passes, or absence vouchers, including any records on district servers, websites, databases, or other information systems contained on the school network. (Education Code 48900 (k))

1st Offense: Parent/student conference. Other means of correction may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Other means of correction may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Other means of correction may be assigned at the discretion of the administration. May refer the student to an alternative educational program.

C. Causes for Less Than Suspension on the First Offense. (1-12) (Education Code 48900)

Alternative consequences may include, but not be limited to; Warning, Counseling, Benching, Detention, Class Suspension, Intervention Center, Day Reporting Center, Saturday School, Work Detail, Community Service, Intervention Groups, or Alternative Educational Programs. (Education Code 48900.1, 48900.5, 48900.6, 48910, 48911)

C1. Committed an obscene act or engaged in habitual profanity or vulgarity either verbally or in writing including all electronic transmissions. (Education Code 48900 (i), 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

C2. Leaving the campus without authorization. (Education Code 48900 (k))

1st Offense: Student conference and parent notified. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

C3. Tampering with property of the school district or belongings of any other person. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

C4. Being in a parking lot or out of bounds without proper authorization. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

C5. Gambling and wagering or habitually being present where such acts are taking place. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

C6. Interfering with the peaceful conduct of the campus or classroom causing class or campus disruption of a minor but annoying nature. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

C7. Loitering on campus without any apparent lawful purpose. (Education Code 48900 (k), Penal Code 647b and 653b)

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

C8. Violations of district dress code - mandatory sections. (Education Code 48900 (k)) The wearing and/or carrying of symbols, paraphernalia which symbolizes gang membership or advocating racial, ethnic, sexual, religious group prejudice or tends to detract from the educational process is not permitted.

1st Offense: Student conference, parent notified. Alternative consequences may be assigned at the discretion of the administration. Student may be sent home to dress properly, if necessary.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

C9. Misconduct on a school bus. (Education Code 48900 (k) and Title 5 Admin Code 14103)

1st Offense: Student conference. Alternative consequences may be assigned. If the incident is serious, students may be suspended from the bus and/or school.

2nd Offense: Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.

3rd Offense: Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned at the discretion of administration. Possible loss of transportation privileges not to exceed one semester.

NOTE: Pupils transported in a school bus shall be under the authority of, and responsible directly to the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. It shall be the responsibility of the parents of students, in cases of suspension of transportation privileges, to provide transportation to and from school during the period of suspension.

C10. **Possession of unauthorized articles/items on campus**, i.e. laser pointers, dice, computer/server hacking tools, implements of graffiti including but not limited to marking pens, spray paint, paint tips, etc., and water toys including but not limited to squirt guns and water balloons, and any other items of no educational purpose or value at school. Electronic signaling devices used by the pupil which are authorized by a licensed physician shall be permitted. (Education Code 48900 (k), 48901.5)

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to one week.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to two weeks. Parent must pick up confiscated item.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to three weeks. Parent must pick up confiscated items.

C11. **Unauthorized, improper or unsafe use of electronic communication devices** within the jurisdiction of the District: (Education 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration. The device may be confiscated for up to one week.

2nd Offense: Parent/student conference with A.P. Alternative consequences may be assigned at the discretion of the administration. Devices may be confiscated for up to two weeks.

3rd Offense: Parent/student conference with A.P. Alternative consequences may be assigned at the discretion of the administration. The device may be confiscated for up to three weeks.

C12. **Improper or unsafe use of:** bicycles, mopeds, motorcycles, roller skates, in-line skates, scooters, or skateboards on campus. (Education Code 48900 (k))

1st Offense: Student conference, parent notified. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to one week.

2nd Offense: Parent/student conference. Immediate one to three-day suspension. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to two weeks.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to three weeks.

NOTE: The school cannot guarantee the safety of the items confiscated and assumes no responsibility for the theft of or damage to such articles. Parents may be required to pick up articles from school officials.

C13. **Cheating or plagiarizing** on assignments or tests, including the use of electronic devices (Education Code 48900(k))

1st Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. May result in removal from class with a withdrawal F grade.

Williams Settlement Complaints

Complaints, including anonymous complaints, may be made and addressed on a shortened timeline for the following areas: (Ed. Code 35186)

1. Insufficient textbooks and instructional materials;
2. Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils; or
3. Teacher vacancy or mis-assignment.

A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction.

Pupil Fees Complaints: A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Call the Assistant Superintendent of Human Resources, at (209) 325-2010, Merced Union High School District Office, 3430 "A" Street, Atwater, CA 95301.

Complaints (Special Education): Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs do not comply with state or federal law or regulations to: Cristi Johnson, Director of Student Support Services, P.O. Box 2147, Merced, CA 95344 – (209) 325-2121.

Discrimination Complaints -Against employees or student against student: The District acknowledges and respects students, parents, community members, and employee rights of privacy. Complaints will be investigated in a manner that protects the confidentiality of the parties involved and the facts. Appeal: The complainant has the right to appeal the district's decision to the California Department of Education, 1430 N Street: P.O. Box 944272, Sacramento, CA 94244-2720, within 15 days of the receipt of the written decision.

Other Complaints: All other types of complaints should first be reported to the Principal. If unsatisfied, the complaint may then be made to the Deputy Superintendent, at (209) 325-2010

Complaints made directly to the State Superintendent:

Complaints may be filed directly with the State Superintendent of Public Instruction in the following cases: (i) Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation. (j) Complaints regarding Child Development and Child Nutrition programs not administered by the District. (k) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level. (l) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District. (m) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District. (n) Complaints alleging immediate and irreparable harm as a result of applying a district-wide policy in conflict with state or federal law and that complaining at the local level would be futile. (Cal. Code Regs., tit. 5,

§§ 4630, 4650) **Appeals:** (o) Except for Williams Complaints, a complainant may appeal the District's decision to the California Department of Education. (Ed. Code, § 262.3(a); Cal. Code Regs., tit. 5, §§ 4622, 4632)

(i) Appeals must be filed within fifteen (15) days of receiving the District decision.

(ii) Appeals must be in writing.

(iii) Appeals must specify the reason(s) for appealing the District decision, including whether the facts are incorrect and/or the law has been misapplied.

(iv) Appeals must include a copy of the original complaint and a copy of the District decision.

(v) Pupil fee complaints appealed to the California Department of Education will receive a written appeal decision within 60 days of the department's receipt of the appeal.

(vi) If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District will provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

(p) If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)

(i) Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.

(ii) The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law

remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b); Cal. Code Regs., tit. 5, § 4622)

Information Obtained from Social Media

A school district that considers a program to gather or maintain in its records any information obtained through social media of any enrolled student shall notify students and their parents or guardians about the proposed program and provide an opportunity for public comment at a regularly scheduled public meeting of the Governing Board of the school district. The notification shall include, but is not limited to, an explanation of the process by which a student or a student's parent or guardian may access the student's records to examine the information gathered or maintained, and an explanation of the process by which a student or student's parent or guardian may request the removal of information or make corrections to information gathered or maintained. (Ed. Code, § 49073.6)

Transfer Policies

Board Philosophy: Transfer of Schools - An important component of the Board of Trustees responsibility is the assignment of students to schools within the District. This responsibility to conduct the district's educational program must be administered in a responsible manner. The Board recognizes that continuous movement of students to and from schools of residence creates an instructional and financial burden on schools. However, it also recognizes that there are certain situations that support the transfer of a student for educational reasons in order for the student to succeed. Therefore, it is the philosophy of the Board to allow Intradistrict transfers for verifiable and compelling hardships that would be critical to the success of the student. Students obtaining a transfer will be responsible for their own transportation. **Student Residency:** A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, § 48200); (2) the District has approved interdistrict attendance (Ed. Code, § 46600); (3) the student is placed in a regularly established children's institution, licensed foster home, or family home; (4) the student is a foster child who remains in his or her school of origin pursuant to Education Code section 48853.5(f) and (g); (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; (7) the student resides in a state hospital within the District; or (8) the student's parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the school district boundaries for a minimum of three days during the school week. (Ed. Code, § 48204) The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (Ed. Code, § 48204) A student also complies with the residency requirements for school attendance in a school district if he or she is a student whose parent is transferred or pending transfer to a military installation within the state while on active duty pursuant to an official military order. However, the parent must provide proof of residence in the school district within ten (10) days after the published arrival date provided on official documentation. (Ed. Code, § 48204.3) A student also complies with the residency requirement if the student's parent/guardians were residents of the state but departed California against their will if the student provides official documentation evidencing the departure of her/his parent/guardians against their will; that the student moved outside of California as a result of her/his parent/guardians departing California against their will; and that the student lived and was enrolled in school in California immediately before moving outside of California. (Ed. Code, § 48204.4)

Notification of Parent or Guardian- (Ed Code 48980(g)) The notification shall advise the parent or guardian of all existing statutory attendance options and local attendance options available in the school district. This notification component shall include all options for meeting residency requirements for school attendance, programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. This notification component also shall include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the school district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. The notification component also shall include an explanation of the existing statutory attendance options, including, but not limited to, those available under Section 35160.5, Chapter 5 (commencing with Section 46600) of Part 26, and subdivision (b) of Section 48204. The department shall produce this portion of the notification and shall distribute it to all school districts.

Intradistrict Transfers: [Board Policy 5116.1] All new enrollees and incoming 9th grade students shall be enrolled at the appropriate high school in attendance with their legal residence within the appropriate high school attendance boundaries. Any transfer request must be completed between January 1st and April 1st to be considered for the following school year. Requests may also be made at semester. Transfers will only be approved based on Board Policy and family hardship which prohibits the student from attending his/her school of residency. A hardship is defined as an unforeseeable, unavoidable and uncorrectable act, condition, or event, outside of the student's or family's control, which causes the imposition of a severe burden, unrelated to any curricular or co-curricular activity in which the student wishes to participate. All transfers are valid through the 12th grade; however, transfers may be revoked for habitual truancy, obtaining less than a 2.0 grade point average or by not maintaining acceptable behavior. All students approved for an intradistrict transfer shall lose one school year of athletic eligibility. Students who are not approved for a transfer may appeal the decision through an appeal committee consisting of a three-person district-level administrative panel. All requests will be processed through the Child Welfare and Attendance Office.

Interdistrict Attendance Agreements: Students may be authorized to attend a high school in another district and to have his/her average daily attendance credited to the district of attendance provided an official agreement for the current school year has been approved by both the Merced Union High School District and the district which the student wishes to attend as long as there is no charge to MUHSD. Students requesting to attend a school outside the district may obtain a "Request for Interdistrict Transfer" from the Child Welfare and Attendance Official. The Superintendent or Child Welfare and Attendance Official is authorized to approve and sign interdistrict attendance agreements in cases that involve true hardship.

Once a pupil is enrolled in a school pursuant to an interdistrict transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless revocation of the interdistrict transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.

Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict attendance agreement. (Ed. Code, §§ 46600(b), 48900(r)) If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the transfer application. (Ed. Code, § 46600(d))

"Allen Bill" Transfers (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other "arbitrary" consideration. Other provisions of Education Code section 48204(b) include: Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student's transfer if it is determined that there would be a negative impact on the district's desegregation plan.

The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student

School Enrollment Options: Students are required to be enrolled at a comprehensive high school in their designated attendance area in which their parents, guardian, foster parent, or caregiver resides. Transfers to the district's alternative schools should be initiated through the student's Associate Principal's office. Alternative schools/programs include Yosemite High School, Independence High School, Sequoia High School, Teen Parent Program and the "On-Track" Program.

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, courage, joy, resourcefulness, courage, creativity and responsibility.
- 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 parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Ed. Code, § 58501)

Inspection of Student Records

State law requires that the District notify parents of the following rights which pertain to student records. (Ed. Code, §§ 49063, 49069.7; 34 C.F.R. § 99.7) (a) A parent or guardian has the right to inspect and review student records relating directly to his or her child during school hours or obtain a copy of such records within five (5) business days of his/her request. (b) Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records. (c) A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age (d) A parent or guardian has the right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent disclosure is authorized without consent. A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

- (i) Inaccurate.
- (ii) An unsubstantiated personal conclusion or inference.
- (iii) A conclusion or inference outside of the observer's area of competence.
- (iv) Not based on the personal observation of a named person with the time and place of the observation noted.
- (v) Misleading.

(vi) In violation of the privacy or other rights of the pupil. Within thirty (30) days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code, § 49070) If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed. Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making.

The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party. (e) A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies, organizations requesting and/or receiving information from the records and the legitimate interests therefore to the extent required by law. Student Records Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code, § 49064) (f) School officials and employees having a legitimate educational interest, as well as persons identified in Education Code sections 49076 and 49076.5 and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent, student, foster family agency, short term residential treatment staff, or caregiver whose access to student records is legally authorized. A "legitimate educational interest" is one held by a school official or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code, §§ 49063(d), 49076, 49076.5; 20 U.S.C. § 1232g) (g) Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others. (h) Parents and guardians will be charged per page for the reproduction of student records. (i) Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232g(g)) (j) Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.

Notifications of Rights Under FERPA Elementary & Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are: (1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. (2) The right to request amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write to the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. In addition, the Student Aid Commission may have access to the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when a student, or his or her parent or guardian if the student is under 18 years of age, "opts out" or is permitted by the rules of the Student Aid Commission to provide test scores in lieu of his or her GPA. (Ed. Code, §§ 69432.9, 69432.92) No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under 18 years of age, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Ed. Code, § 69432.9) Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll. (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue
SW Washington, DC 20202-5920

Release of Student Information: FERPA requires that the Merced Union High School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include the type of information from your child's education records in certain school and/or district publications. Examples include: (1) A playbill, showing your child's role in a drama production; (2) the annual yearbook; (3) honor roll or other recognition lists; (4) graduation programs and (5) sports activity programs which shows weight and height of team members. The District may release "Directory Information" colleges, universities, employers, military schools and the military (United States Army, Navy, Air Force, Marines). "Directory Information" means one or more of the following items: pupil's name, address, telephone number, date and place 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 pupil." Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c); 20 U.S.C. § 1232g; 42 U.S.C. § 11434a(2)) 20 U.S.C. section 7908 requires that school districts disclose the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address: MUHSD CWA, 3105 G Street Merced, Ca. 95344 If parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address: CWA Administrator, 3105 "G" Street, Merced, CA 95340. **"KNOW YOUR EDUCATIONAL RIGHTS" IMMIGRATION ENFORCEMENT FROM THE CALIFORNIA ATTORNEY GENERAL Your Child Has the Right to a Free Public Education:** All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the student's parents or guardians. In California: All children have the right to a free public education. All children ages 6 to 18 years must be enrolled in school. All students and staff have the right to attend safe, secure, and peaceful schools. All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation. All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

Information Required for School Enrollment: When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency. You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

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

Family Safety Plans If You Are Detained or Deported: You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported. You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint: Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status. For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:

Bureau of Children's Justice
California Attorney General's Office
P.O. Box 944255

Sacramento, Ca. 94244-2550

Phone: (800) 952-5225

E-mail: BCJ@doj.ca.gov

<https://oag.ca.gov/bcj/complaint>

The Attorney General's publication can be downloaded at: <https://www.oag.ca.gov/bcj>

Health & Wellness

Medical Coverage for Injuries: Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without his or her consent or, if the pupil is a minor, without the consent of a parent or guardian (Ed. Code 49472) Subject to certain exclusions, the District provides limited student accident insurance, which is secondary to any insurance coverage provided by a parent or guardian."

Medical and Hospital Services Not Provided: The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471)

Mental Health Services: The District shall notify pupils and parents or guardians no less than twice each school year of the steps to initiate access to available pupil mental health services on campus and/or in the community. (Ed. Code, § 49428) The mental health services available include school counselor, referrals to school based mental health clinician, referral to Sierra Vista. To initiate services, a parent or student may contact their student's school counselor.

Administration of Medication: Medication prescribed by a physician or ordered by a physician assistant for a child may be administered during the school day by the school nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician, or a physician assistant as specified by law. In order for a child to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the physician or physician assistant must also provide a written statement detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine or prescription inhaled asthma medication. Parents must also provide a release for the school nurse or designated school personnel to consult with the pupil's health care provider regarding questions that may arise with regard to the medication, and releasing the District and its personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering auto-injectable epinephrine or prescription inhaled asthma medication. The written statements specified in this section shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. Forms for administering medication may be obtained from the school secretary. (Ed. Code, §§ 49423, 49423.1, 49423.5)

Services for Students with Exceptional Needs or a Disability: State and federal law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. § 104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone: Cristi Johnson, Director of Student Support Services, P.O. Box 2147, Merced, CA 95344 (209) 325-2120.

Identification And Education Under Section 504-BP 6164.6; Instruction:The Board of Trustees recognizes the need to identify and evaluate children with disabilities in order to provide them with a free, appropriate public education. Under Section 504 of the federal Rehabilitation Act of 1973, individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met. The Superintendent or designee shall establish screening and evaluation procedures to be used whenever there is reason to believe that a student has a disability that limits his/her ability to attend or function at school. To evaluate the student's eligibility under Section 504, the Superintendent or designee shall convene a Section 504 committee of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. The students and their parents/guardians shall be invited to participate on this committee. If the student is found to have a disability that requires services under Section 504, the Section 504 committee shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the committee shall determine what modifications and/or special services and aids are needed. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. The Section 504 committee shall provide the parent/guardian with a written copy of the accommodation plan and notice of procedural safeguards guaranteed by law. The accommodation plan shall be provided to all relevant support staff. (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 0430 - Comprehensive Local Plan for Special Education) (cf. 5141.24 - Specialized Health Care Services) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))Legal Reference:

EDUCATION CODE

49423.5 Specialized physical health care servicesCODE OF REGULATIONS, TITLE 5

3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
104.1-104.61 Nondiscrimination on the basis of handicap, especially:
104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973
104.3 Definitions
104.33 Free appropriate public education
104.35 Evaluation and placement
104.36 Procedural safeguards

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CSBA PUBLICATIONS

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

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

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/index.html?src=mr>

Policy MERCED UNION HIGH SCHOOL DISTRICT

adopted: September 13, 2006 Atwater, California **Identification And Education Under Section 504**

AR 6164.6

Instruction

Eligibility

A disabled student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a record of such an impairment, or (c) is regarded as having such an impairment. (34 CFR 104.3)

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Examples of students with such impairments include, but are not limited to:

1. Students with a normal ability to learn but who have a mobility impairment
2. Students with a normal ability to learn academically but who require occupational or physical therapy in order to function physically
3. Students with emotional disabilities such as agoraphobia manifested by behavior problems which result in lack of attendance at school
4. Students with normal ability to learn but requiring medical assistance such as diabetes monitoring

Indications of a possible disability that significantly interferes with learning include, but are not limited to:

1. Medical conditions such as severe asthma or heart disease
2. Temporary medical condition due to illness or accident

Referral and Identification Procedures 1. Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the principal or designee. 2. The Student Success Team shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records (including academic, social and behavioral records) and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists. 3. If a request for evaluation is denied, the school Student Success Team shall inform the parents/guardians of this decision and of their procedural rights as described below. Accommodation Plan 1. When a student is identified as disabled within the meaning of Section 504, the Section 504 Committee shall determine what services are necessary to ensure that the student's individual education needs are met as adequately as the needs of nondisabled students. 2. In making this determination, the Student Success Team shall consider all significant factors relating to the learning process for the student, including his/her adaptive behavior and cultural and language background. The evaluation may include, but is not limited to, classroom and non classroom observation, performance-based testing, academic assessment information, and data offered by the parent/guardian. 3. The parents/guardians shall be invited to participate in the Section 504 committee meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records. 4. The Section 504 shall develop a written plan describing the disability and specifying the services needed by the student. A copy of this plan shall be kept in the student's cumulative file by the counselor and at the district's 504 coordinator's office. The student's teacher and any other staff who provide services to the student shall be informed of the services necessary for the student, to the extent that they need to be informed in order to provide for the student in the school setting. 5. If the Section 504 committee determines that no services are necessary for the student, the record of the committee's meeting shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed. 6. The disabled student shall be placed in the regular educational environment unless the district demonstrates that a more restrictive placement is required in order to meet the student's needs. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. 7. The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision. 8. The district shall complete the identification, evaluation and placement process within a reasonable time frame. 9. The student's plan shall include a schedule for periodic review of the student's needs and indicate that this review may occur sooner at the request of the parent/guardian or school staff. Review of the Student's Progress 1. The Section 504 committee shall monitor the progress of the disabled student and the effectiveness of the student's plan. The committee shall periodically determine whether the services are appropriate and necessary and whether the disabled student's needs are being met as adequately as the needs of nondisabled students. 2. A reevaluation of the student's needs will be conducted before any subsequent significant change in placement. Procedural Safeguards: Parents/guardians shall be notified in writing of all district decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to: (34 CFR 104.36) 1. Examine relevant records 2. Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel 3. Have a review procedure. (cf. 5145.6 - Parental Notifications) Notifications shall also set forth the procedures for requesting a hearing, the name, address and telephone number of the person with whom the request should be made, and the fact that reimbursement for attorney's fees is available only as authorized by law. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may initiate the following procedures: 1. Within 30 days of receiving the student's accommodation plan, set forth in writing his/her items of disagreement and request that the school principal and Section 504 committee review the plan in an attempt to resolve the disagreement. This review shall be held within 20 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to attend the meeting at which the review is conducted. 2. If disagreement continues, the parent/guardian shall request in writing that the Superintendent or designee review the plan. This review shall be held within 20 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to meet with the Superintendent or designee to discuss the review. 3. If disagreement continues, the parent/guardian shall request in writing a Section 504 due process hearing. The request shall include: a. The specific nature of the decision with which the parent/guardian disagrees b. The specific relief the parent/guardian seeks c. Any other information the parent/guardian believes pertinent Within 20 days of receiving the parent/guardian's request, the Superintendent or designee shall select an impartial hearing officer. This 20 days may be extended for good cause or by mutual agreement of the parties. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. These 45 days may be extended for good cause or by mutual agreement of the parties. The Superintendent or designee shall represent the district at this hearing. Regulation MERCED UNION HIGH SCHOOL DISTRICT approved: September 13, 2006 Atwater, California

Pregnant and Parenting Pupils:

Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. "Pregnant or parenting pupil" means a pupil who gives or expects to give birth or a parenting pupil who has not given birth and who identifies as the parent of the infant. A pregnant or parenting pupil is entitled to eight weeks of parental leave. This leave may be taken before the birth of the pupil's infant if there is a medical necessity and/or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. A pregnant or parenting pupil is entitled to additional leave if deemed medically necessary by the student's physician. (Ed. Code, § 46015) The person holding the student's educational rights (i.e. the pupil if over 18 or the parent if under 18) may notify the school of the student's intent to exercise this right. Leave may still be taken even if notice was not provided. During the leave, the student's absences shall be deemed excused and the student shall not be required to complete academic work or other school requirements. A pregnant or parenting pupil may return to the school and the course of study in which he or she was enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting pupil is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and re enrollment in courses. A pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil is reasonably able to complete its graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school. A student who chooses not to return to the school in which he or she was enrolled before taking the leave is entitled to alternative education options offered by the local educational agency to include educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program. A student will not incur any academic penalties as a result of using the accommodations in this section. (Ed. Code, § 46015) A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures in accordance with Title 5 of the California Code of Regulations.

Immunizations: The District shall exclude from school any pupil who has not been immunized properly, unless the pupil is exempted from the immunization requirement pursuant to Chapter 1 (commencing with section 120325) of part 2 of division 105 of the Health and Safety Code. The immunization exemption based on personal beliefs has been eliminated. (Health & Saf. Code, § 120325) A student who, prior to January 1, 2016, submitted a letter or affidavit on file at the District, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, the District shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7th grade unless the student has been immunized for his or her age as required by law. (Health & Saf. Code, § 120335) A student may still be exempted from the immunization requirement based on medical condition or circumstances. A licensed physician or surgeon must transmit a completed medical exemption certification form from the California Department of Public Health directly to the local educational agency and the California Immunization Registry. The standardized medical exemption form shall be the only documentation of a medical exemption that shall be accepted by the District. (Health & Saf. Code, §§ 120370, 120372) A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at

school. The health care practitioner may administer immunizations for the prevention and control of diseases that present a current or potential outbreak as declared by a federal, state, or local public health officer. (Ed. Code, §§ 48216, 48980(a), 49403; Health & Saf. Code, §§ 120325, 120335)

Confidential Medical Services: For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian (Ed. Code 46010.1)

Resuscitation Orders: The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders unless they have been informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student's physician and an order from an appropriate court.

Temporary Disability: A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction.

Home Instruction: The district in which the student resides is to provide individual instruction if the student is receiving the instruction in his or her home. Individual instruction in a pupil's home pursuant to Education Code section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.

Hospital or Health Facility Instruction: The school district in which the hospital or other residential health facility, excluding a state hospital, is located must provide individual instruction to a student with a temporary disability. Within five working days of receipt of the notification, the district must determine whether the pupil will be able to receive individual instruction, and, if so, when the individual instruction will begin. Individual instruction will commence no later than five working days after a positive determination has been rendered. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. A school district may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or residential health facility to facilitate the timely reentry of the pupil in his or her prior school after the hospitalization has ended, or in order to provide a partial week of instruction. On days in which the student is not receiving individual instruction in a hospital or other residential health facility, he or she may attend school in his or her district of residence if well enough to do so. A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that he or she attended immediately before receiving individual instruction, if returning during the same school year. (Ed. Code, §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48980(b)) Pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom shall be treated in the same manner and under the same policies as any other temporary disabling condition. (Ed. Code, § 221.51)

Student Parent Lactation Accommodations: The District is required to provide reasonable accommodations to a lactating student on a school campus to address breastfeeding needs. (Ed. Code, § 222) A student may not be penalized academically because of the reasonable accommodations provided during the school day. A student must also be given the opportunity to make up missed work. A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

Asbestos Management Plan: The current management plan for asbestos-containing material in school buildings is available at the District Office. (40 C.F.R. § 763.93)

Notice of Pesticides: Throughout the year, our schools expect to use the following pesticides:

1. Avert Cockroach Bait (Iodosulfuron-methyl-sodium)
2. Bayer Celsius WG Herbicide (Thiencarbazone, Iodosulfuron-methyl-sodium, Dicamba)
3. Bayer Corp Pesticide (Disulfoton, Fensulfothion)
4. Bayer Tempo 20 WP Insecticide (b-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl) methyl 3-(2,2-dichloroethene)-2,2-dimethylcyclo-propanecarboxylate)
5. Bengal Wasp and Hornet Killer (Lambda-cyhalothrin, Prallethrin)
6. Tempo SC (B-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethene)-2,2-dimethyl cyclo-propane carboxylate)
7. Dual choice 360A Whitmire Microgen (Abamectin B1)
8. Raid Ant and Roach Killer 17 Lavender Scent (Fipronil)
9. Raid Wasp and Hornet Killer (Lambda-cyhalothrin, Prallethrin)
10. Ranger Pro (Glyphosate)
11. Roundup Pro (Glyphosate)
12. Roundup Pro Max (Gylphosate)
13. Spectracide Wasp and Hornet Killer (Prallethrin/lambda Cyhalothrin)
14. Speedzone (2,4-D, Z-ethylhexyl ter 10.49%)
15. Systemic Rose Care with Insecticide (Tebuconazole, Imadocloprid)
16. Tempo Ultra (b-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethene)-2,2-dimethylcyclo-propanecarboxylate)
17. Hasten (Ethyl oleate)
18. Revolver (Formsulfuron)
19. Catchmaster Glue Traps (Exempt)
20. Roach Motel Glue Traps (Exempt)
21. Gopher Tox (Zinc Phosphide)
22. Amdro Mole and Gopher Bait (Zinc Phosphide)
23. Green Thumb Roach Ant & Spider Killer (Bioallethrin, N-Octyl bicycloheptene dicarboximide, Permethrin)
24. Green Thumb Wasp & Hornet Killer

Transportation

The Merced Union High School District provides transportation for all eligible students residing within MUHSD school residence boundaries. Transportation shall depend upon the student needs as follows:

Transportation will not be provided for pupils residing within the following distances from their neighborhood school or bus stop:

2.5 miles (some exceptions apply) Students with special needs must be referred to the Special Services Department by the appropriate school personnel. Contact your child's school should your child need any special services.

"Pupils transported in a school bus shall be under the authority of, and responsible directly to the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation." It shall be the responsibility of the parents of students, in cases of suspension of transportation privileges, to provide transportation to and from school during the period of suspension". 5 CCR 14103.

Information on school bus stops are made available at the beginning of the school year at each school site office and on the district's website.

RED LIGHT CROSSING PROCEDURES

V.C. 22112

High School students, grades 9-12 are not required by State law to be escorted by the bus driver across the street or highway. It is extremely important for the safety of your child that they follow all of the rules below.

TEACH YOUR CHILD THE RULES FOR RIDING THE BUS SAFELY:

Students are to arrive at the bus stop at least ten minutes before the bus's arrival time.

Students are to wait on the side of the street in which the bus will stop.

Student I.D. cards are required at all the time upon entering the bus.

When the bus arrives, please do not approach the bus until the doors are opened.

Whenever getting off the bus, move away from the bus's danger zone (12 feet).

Do not disturb the area at your bus stop: It may be someone else's property.

When the bus is stopped at a Railroad Crossing, you must stop talking.

You may only get off at your own bus stop. If it is necessary to get off at another bus stop, the parent or guardian must write a note and submit it to the Office. (Once a student leaves campus, they will not be allowed to ride the bus).

Please do not leave trash on the bus.

Obey the Driver the 1st time.

Remain seated at all times.

Use classroom voices at all times.

Keep all body parts inside the bus.

No rudeness, teasing, or obscene gestures.

Bus drivers may assign seats.

No eating, drinking or chewing gum on the bus.

Should you have any questions regarding transportation call 209-325-2350 or visit the District Website: <http://www.muhsd.org>

Nutrition Information

The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. (Ed. Code, § 49510 et seq.)

Meals are available every school day at all district schools. The high school district participates in the Community Eligibility Provision (CEP) program and offers one breakfast and one lunch per day at no cost. Additional meals may be purchased at a nominal cost of \$2.00 for breakfast and \$3.00 for lunch. For more information regarding this program call 325-2211.

In accordance with Federal Civil Rights law and U.S. Department of Agriculture (USDA) Civil Rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior credible activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Employee Code of Conduct

Section 4000 Personnel Title Professional Standards Code 4219.21 Status Active Legal California Law Reference

Adopted June 14, 2006

Adopted: June 14, 2006 Atwater, California

Last Revised: January 9, 2013

Professional Standards Personnel BP 4219.21

The Board of Trustees expects district employees to maintain the highest ethical standards, follow district policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the district and advance the goals of the educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students. The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by professional associations to which they may belong. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students. Inappropriate employee conduct includes, but is not limited to: 1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon. 2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed 3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child 4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student. 5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time. 6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members 7. Willfully disrupting district or school operations by loud or unreasonable noise or other action. 8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity. 9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records. 10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information. 11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities. 12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity. Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voicemail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent. 13. Causing damage to or engaging in theft of property belonging to students, staff, or the district 14. Wearing inappropriate attire. An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the

district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting. Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate. An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline. The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

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 1-800-829-3676 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 1-800-852-5711 or through its website at www.ftb.ca.gov.

Firearms Safety Memorandum

To: Parent and Guardians of Students in the Merced Union High School District

From: Alan Peterson, Superintendent

Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the [Insert Name of School District] of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition. To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.

- Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.

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

2 See California Penal Code section 25100(c).

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years. 3

- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

Note: Your county or city may have additional restrictions regarding the safe storage of firearms. Thank you for helping to keep our children and schools safe. Remember that the easiest and

safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely,

Alan Peterson, Superintendent

Date published: April 20, 2023
California Department of Education