



STUDENT/PARENT HANDBOOK

and

ANNUAL NOTIFICATION OF YOUR RIGHTS & RESPONSIBILITIES

Please review the material in this booklet.

**San
Bernardino
City Unified
School District**

2023-2024

Mauricio Arellano
Superintendent

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July 2023

Dear San Bernardino City Unified School District Families,

Welcome back! As we embark on a new school year, I am filled with excitement and anticipation for the wonderful journey ahead. As a San Bernardino City Unified School District graduate, it brings me immense joy to see our students returning to our schools, ready to learn, grow, and reconnect with their peers and teachers.

The past few months have been a time of reflection and preparation, and I want to express my deepest gratitude for your ongoing support and dedication to your children's education. Your commitment to their success is truly admirable, and we are grateful to have you as our partners in this educational journey.

As we begin the 2023-2024 school year, rest assured that the well-being of our students, staff, and community remains our top priority. Our team of talented educators and staff have been hard at work to create a rich and engaging academic experience for students. We are committed to providing high-quality instruction that fosters critical thinking, creativity, and a passion for lifelong learning.

Together, let us embrace this new school year with enthusiasm, unity, and a shared vision of success. We look forward to witnessing the growth and achievements of every student as we continue building a brighter future together.

Welcome back to the San Bernardino City Unified School District!

Sincerely,

Mauricio Arellano
Superintendent

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Abigail Rosales-Medina, Member

A full "Directory of
Schools" is available
on page 79.



San Bernardino City Unified School District

2023-2024

Student / Parent Handbook and Notification of Rights & Responsibilities

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DISTRICT MISSION STATEMENT

The mission of SBCUSD, the leading expert in human learning, is to ensure all students, cradle to career, develop the knowledge, skills, and proficiencies required for college, career, civic, and economic success by inspiring and engaging them in a system distinguished by:

- ➔ high expectations for student and staff performance
- ➔ vital partnerships with families, community, and employers
- ➔ culturally proficient schools
- ➔ learning experiences beyond traditional boundaries of where and when
- ➔ safe, respectful, and welcoming environments.

KEY STRATEGIC OBJECTIVES

- Each student will develop and pursue an academic and career plan based on his or her interests and talents.
- Each student will demonstrate independent initiative, civic responsibility, and community pride
- Each student will develop creativity through mastery of fundamental knowledge and applied skills
- Each student will enjoy learning throughout life by learning how to learn

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

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

PARENT AND FAMILY ENGAGEMENT

Family Engagement

The San Bernardino City Unified School District Family Engagement Office was designed to improve family, school, and community partnerships. Our mission is to engage, support, honor, and strengthen families by developing partnerships, building relationships, organizing resources, and creating opportunities that cultivate a resilient and thriving community. Please contact the Family Engagement Office at (909)-880-4057 for additional information and support.

Priorities:

- Establish Family Engagement Centers at each site led by a parent liaison
- Collaborate with site leaders to align structures and programs for maximum success
- Create a system for schools and departments to develop individualized plans and support structures that will ensure that families, staff, students and community partners work hand in hand to increase achievement, equity and college and career readiness
- Collaborate with schools and departments to develop the leadership capacity of families
- Build the capacity of site staff and leadership to effectively engage families
- Develop the leadership capacity of families through parent advisories and Family University
- Collaborate with site and department administration and parent representatives from District advisory groups: the District Advisory Council (DAC); the African American Advisory Committee (AAPAC or DAAAC); English Learner Advisory Committee (ELAC or DELAC), the Community Advisory Committee (CAC), or your School Site Council (SSC).

Communications with Families

San Bernardino City Unified School District (SBCUSD) recognizes that every family has a preferred way to communicate. We are committed to getting every one the information they need in ways they can understand, including for those who are hearing- or visually-impaired and for non-English speakers. SBCUSD uses all of the following communication methods:

ParentSquare: engages every family with school communications and communications-based services from the District office or classroom teacher, and all in one place.

Automated telephone messages: as long as your child’s school has your current phone number, you will receive important, automated voice and/or text messages.

Social media: like SBCUSD on Facebook or follow us on Instagram by searching for San Bernardino City USD. Follow SBCUSD on Twitter @SB_CitySchools. Individual schools or programs may also have their own social media accounts.

The Internet: the District website at www.sbcusd.com has frequent posts under the

As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We urge you to read it.

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

News & Announcements. Each school's web page also has current information.

To receive accurate, timely information, you are strongly encouraged to keep your contact information up-to-date.

SBCUSD is committed to communicating with families when emergencies arise. From automated phone calls to social media, we use a variety of communication tools to keep families and employees abreast of important information.

Parent Involvement

Parents and guardians of enrolled students have the right to be included in the educational process and to have access to the system on behalf of their children. These rights are outlined in Education Code Section 51101. This early and consistent parental involvement helps children to do well academically. When this involvement is combined with a partnership between home and school, the student, the school, and the community benefit.

ABI Parent/Student Portal

What is the Parent/Student Portal?

The portal allows parents and students access to attendance data, assignments, class schedules, course requests, grades, and unofficial transcripts. (https://portal.sbcusd.com/abi_parent/)

What is necessary to access the Parent/Student Portal?

- You need access to a computer with an internet connection and an email account.

How do I login after I have created an account?

- Parent and student instruction sheets with login instructions are available in English and Spanish.

Where do I go for help?

- Answers to Frequently Asked Questions (FAQs) are available in English and Spanish on the District's website.

Where can I access the internet for free?

- The SBCUSD Family Resource Center is open from 8 a.m. to 4 p.m. on weekdays and is located at

1525 W. Highland Avenue, San Bernardino. They can be reached at (909) 880-4057.

- Each of the San Bernardino City Library branches has computers with internet access that San Bernardino residents with a library card are welcome to use for free. A photo ID is required to obtain a free library card.

How do I create a free email account?

- Gmail and Yahoo are email accounts that are available at no cost.

Keep Contact Information Current

Parents/Guardians are responsible for updating changes in address, telephone numbers (home, work, cell), and email addresses for themselves, their enrolled children and emergency contacts on the Aeries Parent Portal. A change of address may require evidence (such as rent receipts or utility bills).

Parent Volunteers

Volunteering can be experienced in many ways, in the classroom, in the library, in the cafeteria, assisting teachers with cutting and pasting activities, etc. Parent volunteers are always welcome. The process for volunteering requires the following:

- Proof of a negative TB skin test
- Completion of a School Volunteer Application via Raptor
- Clearance from the District Police Department

You will be required to sign in and out using Raptor every time you volunteer. You will also be required to wear a visitor pass (provided to you at sign in). Please sign in/out at the office. For insurance reasons, parents may not bring siblings or younger children during their volunteer time.

Elementary Parent Conferences

Parent conferences are scheduled twice a year. This allows communication between the parent/guardian and teacher on the academic and behavioral progress of the student. The invitation to parent conferences is sent home with the student.

It is important that you, as a parent/guardian, respond as soon as possible. This allows the teacher to schedule all of the conferences. It is also important that you attend the scheduled conference. You

may also request to meet with your child's teacher throughout the year to discuss in a timely manner any concerns you may have.

≡ **Contacting Your Child During School Hours**

On occasion it may be necessary for you to contact your child during instructional time. Please limit these calls to emergencies only. Please call the office and leave a message for your child. The office staff and the teacher will relay the information to them. If you need to speak to the teacher, please follow the same procedure and the teacher will respond outside of instructional time. The office staff will not interrupt classroom instruction to relay messages. After 3:15 p.m. the office gets very busy with phone calls. Any messages for your child after 3:15 p.m. cannot be guaranteed to reach your child.

Student Messages

Parents having an urgent matter who need to see a student during school hours should contact the office to summon a student from class. Under no circumstances will school personnel accept money or other valuables to be delivered to students. Students may not receive flowers, balloons, singing telegrams or similar personal gifts at school because of the disruption of the educational process created by such items.

≡ **School Telephones**

School telephones are for conducting school business. Students are not allowed to make phone calls or receive phone calls on school phones. However, in emergency cases, an administrator may give permission to use a school phone. Phone calls to make transportation arrangements are not emergency phone calls. A teacher, except for extreme emergencies, will not give students a pass to the office to request use of a phone.

≡ **Visitors to Campus**

School policy is to accept only those visitors who have legitimate business to visit the school. Parents are always welcome to visit. We do require, however, that all parents, visitors, and guests register in the office when they enter. It is usually best to call ahead for an appointment with the administrator, teacher or counselor with whom you want to meet. Under no

circumstances are students permitted to have visitors or bring younger children or babies onto campus during the school day. Please be prepared to present valid photo identification when visiting any District school. Unauthorized visitors are considered to be loitering and are in violation of Penal Code 653b.

Parents or visitors who are abusive or violate District or site policies will be asked to leave the campus. Appropriate action from the school will follow. [BP 1250 (page 40) July 2023]

≡ **Lost and Found**

Students who lose items should first check in the main office. Owners claiming lost articles must give satisfactory identification. For any item not recovered, the student may complete a theft report.

Students are advised to not bring large amounts of money or wear expensive jewelry to school since we cannot be held responsible for the loss of those items.

ENROLLMENT AND ATTENDANCE

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

≡ **Arrive on Time**

Elementary Schools begin at 8:50 a.m. and Middle Schools begin at 8:00 a.m. If your child arrives after this time they will be marked absent. The student must be signed in at the office by the parent/guardian before going to class. High Schools begin at 8:30 a.m. If the student arrives after this time they must sign in at the office with/or with a note from the parent/guardian before going to class.

If an absence is entered into the system, the District's system will call you to notify you of the absence. It is extremely important that we have your correct contact information in our system so that you are notified of the absence and can clarify said absence if there is any discrepancy. You will have 5 days from the date of the absence to clear any type of absence through the school's office.

Tardies

Students who come to school late (tardy) must report to the office before being admitted to the classroom. The office staff will give them a pass admitting them to class and change the attendance report to reflect the late arrival. Remember that any arrival after 8:50 a.m. will be marked tardy and will impact perfect attendance.

≡ Leaving School during the School Day

“The governing board of the San Bernardion City Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit pupils enrolled at some High School to leave the school grounds during the lunch period. 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.” The district permits students in grade 12 at Arroyo, Cajon, Pacific, San Bernardino, and San Geronio High Schools; and in grades 10-12 at Middle College High School this privilege. [EC 44808.5]

Early Release from School

Students must be signed out in the office before leaving campus. Students will only be released to their parents or someone 18 or older authorized by their parents on the emergency release card. Please be prepared to show photo identification when picking up a student. If the student returns to school before the end of the school day, the student must be signed in at the office by the parent/guardian before going to class.

Leaving School at Lunchtime

No student in grade 9, 10, 11, or 12 may leave campus during lunch without first receiving written authorization by the Attendance Office or a vice principal. Students requesting special permission to leave campus during regular school hours must be age 18. The attendance office will then issue a Permit to Leave slip. Students who become ill and wish to go home early should report to the attendance office. A parent or person listed on the emergency card must be contacted before an ill student can be released. A student who leaves campus during the regular school day without a Permit to Leave slip will be considered truant.

Off-Campus Passes

No student shall be out of class during regular class time without a pass issued by the teacher in charge of the student during that time. This includes trips to the restroom, library, office, or any place other than the room to which the student has been assigned for that given period. Passes shall be the shortest and quickest route without stopovers at other points and without bothering other classes in session. Passes shall be issued only as needed and must be turned in at the point of destination or returned to the teacher who originated the note. Students without a pass will be sent to an administrator. Administrators reserve the right to set times during which passes can be given during any period.

Forged Documents

Any documents (court, medical, parent notes, etc.) submitted to the attendance office on behalf of a student's absence that are forged, altered, or misrepresent the student's absence will result in the student being disciplined.

≡ Attendance Options

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Districts may allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in intra- and inter-district transfers. In some cases, the district must provide transportation. Students attending “persistently dangerous” schools can transfer and enroll in a safe school. Students convicted of a violent felony or convicted of a specific misdemeanor may be transferred involuntarily to another school in the district. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Information about residency is available in “BP 5111: Admission” on page 46. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [BP 5116.2]

January 2020; EC 46600, 48204, 48204.7, 48206.3, 48300, 48301, 48306, 48432.5, 48853.5, 48929, 48980, 49068, 51101; PC 667.5(c), 29805; 20 USC 7912]

1. Intradistrict Open Enrollment:

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of district students. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy and administrative regulation.

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

Enrollment Priorities

Priority for attendance outside a student's attendance area shall be given as follows:

1. If a district school receiving Title I funds is identified for program improvement, corrective action or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school.
2. Beginning in the 2003-04 school year, if while on school grounds a student becomes a victim of a violent criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school.
3. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received either:

- a. A written statement from a representative of

an appropriate state or local agency, including but not limited to a law enforcement official or social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist or marriage and family therapist

- b. A court order, including a temporary restraining order and injunction
4. Priority may be given to siblings of students already in attendance in that school.
5. Priority shall be given to students whose parent/guardian is assigned to that school as his/her primary place of employment.

For all other applications for enrollment outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity.

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

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

Transportation

Except as required by 20 USC 6316, for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds. Priority for any such transportation shall be based on demonstrated financial need. [BP 5116.1 October 2007; EC 200, 35160.5, 35291-35291.5, 35351, 46600-46611, 48200, 48204, 48300-48316, 48980; 5 CCR 11992-11994; 20 USC 6311, 6313, 7912]

2. Interdistrict transfers:

The Board of Education recognizes that parents/

guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

The Board desires to communicate with parents/guardians and students regarding the educational programs and services that are available in the district.

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

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement for interdistrict transfers because of overcrowding with district schools or limited district resources. [BP 5117 August 2018; EC 41020, 46600-46611, 48204, 48300-48317, 48900, 48915, 48915.1, 48918, 48980, 48985, 52317, 8151; CA Constitution Article 1, Section 31]

3. Attendance Where Caregiver Resides:

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

4. Attendance in District Where Parent / Guardian is Employed:

The district may, but is not required to accept a transfer student whose parent/guardian resides outside the boundaries of the school district but is employed and lives with the student at the place

of the parent's/guardian's employment within the boundaries of the school district for a minimum of three days during the school week; or a student whose parent/guardian physically works within the boundaries of the school district for a minimum of 10 hours during the school week. [EC 48204(a)(7), 48980]

5. Special Enrollment Allowances for Some Categories of Students:

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

Student Immigrant and Religious Rights

All school age children must be admitted to California Public Schools and be offered all programs accessible to other students. School districts cannot ask about a student's immigrant or religious status. The state Attorney General has information about "know your rights": <https://oag.ca.gov/immigrant/resources>. Immigrant students are still considered residents of their current school district even if parents are deported or are being held in custody. [EC 200, 220, 234.1, 234.7]

Parent Notification of Immigration-Enforcement Contact: District personnel must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.

District personnel shall immediately notify the student's parents or guardians if a law-enforcement officer requests or gains access to a student for

immigration-enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian. [BP 5145.13 (page 42) June 2023]

≡ General Absences

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

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

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

1. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.

7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event.
12. (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
 - (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
 - (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school

administrator, as described in subdivision (c) of Section 48260.

13. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- B. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- E. For purposes of this section, the following definitions apply:
 1. A “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 2. “Cultural” means relating to the habits, practices, beliefs, and traditions of a certain group of people.
 3. “Immediate family” means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. [EC 48205, 48260]

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

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

≡ Clearing an Absence

When a student is absent from school, a written

excuse from a parent or guardian must be brought to the attendance office. The parent or guardian may also call the attendance office to clear an absence. The note must state the reason and date(s) of absence(s). The full name of the student and a parent signature must also be on the note. All written excuses and phone excuses are recorded, filed, and held for audit by the state.

Absences must be cleared within 5 days. All absences for which written and phone excuses are received after 5 days will be coded as unexcused.

After six absences, a School Attendance Review Team (SART) meeting will be scheduled. If attendance does not improve, or parent and student do not attend this meeting, the student and parent will be scheduled for a School Attendance Review Board (SARB) meeting.

Auto Caller

A computerized auto-caller system will call parents in the evening to notify them when their child had one or more uncleared absence or tardy on the day prior. Please contact the school if your telephone number has changed.

≡ Emergency School Closure

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

≡ Minimum Days/Pupil Free Staff Development Days

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

≡ Individualized Instruction

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. If your temporarily disabled child is located outside your school district, notify both the district where your child resides and where the child is located. Within five (5) days of notice, the district(s)

will determine if the student qualifies, and within five (5) days of the determination commence instruction in the home or in a hospital or other residential health facility. The district(s) will notify you if your child qualifies, when instruction will begin and for how long it will continue. Each hour of instruction at home or in a facility will count as a full day but cannot exceed 5 days per week nor the number of days in the school year. [EC 48206.3, 48207, 48207.5, 48208, 48980]

Pregnant or Parenting Students

Pregnant or parenting students who are 18 years old or who have permission from their parent/guardian may have excused leave for up to 8 weeks or more without having to complete schoolwork or other requirements, or being subject to penalties. They may return to the same school and courses, and be provided time to make up work. They may choose to attend an alternative program with access to comparable courses, programs and activities. They may have a fifth year to complete high school graduation requirements unless administration determines they are capable of completing graduation requirements in four years. Complaints about these rights can be made using the Uniform Complaint Procedure. [BP 5146 (*page 49*) August 2022; EC 221.51, 46015, 48200, 48980]

≡ Unexcused Absences (truancy)

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

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

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

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

Early intervention and cooperation between the school and the family is the best way to support student learning. A student who is truant can be referred to a student attendance review board (SARB), a community service program, the county probation

department, or to the district attorney. Through these programs the student can be given guidance toward improving attendance. The goal is to intervene before a student enters the juvenile justice system or drops out of school. Parents are urged to use community services identified by the school or District, a SARB, the District Attorney, or Probation department. Students and parents face penalties as defined in Education Code, Welfare and Institutions Code, and Penal Code.

Student Penalties: First truancy may result in a one-day weekend class; Second truancy may be a written warning from a peace officer; Third truancy may result in assignment to an after-school or weekend program, involvement of a SARB, a probation officer, or District Attorney; Fourth truancy may result in a chance to improve attendance, but may also result in the student being placed within the jurisdiction of the juvenile court. Other penalties may include required community service, payment of a fine, attending a truancy mediation program, and loss of driving privileges.

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

School attendance personnel will refer truant students to the attendance verifier to inform the parents or guardians and the student of the truancy problem. A serious attendance problem often begins with a few unexcused absences. District counselors, teachers, nurses, District police officers, and a school attendance review team may be brought in to help students at the school site level.

School Attendance Review Team (SART)

Principals will establish a multi-disciplinary School Attendance Review Team (SART) consisting of representatives from Administration, Counseling

(academic/psychological), Health Services, Teaching, and Special Education (when appropriate).

The SART will make every effort to meet with the truant student and parent(s) to address the reasons why the problem is occurring.

The SART will periodically assess the attendance progress of all students and refer non-compliant students to the Positive Youth Development Department. High school students will be referred to the Director of Positive Youth Development.

The Director of Positive Youth Development will provide a Student-Parent-School Attendance Agreement to parents of a truant student to inform them of their obligation to ensure that their student comes to school on time, every day. Parents who fail to comply with compulsory attendance laws will be cited.

School Attendance Review Board (SARB)

When the school has exhausted all resources and a student's attendance has not improved, then a parent/guardian may be referred to a Student Attendance Review Board (SARB) hearing. The San Bernardino City Unified School District SARB, as a multi-agency partnership, recognizes the negative effects truancy has on the community.

The mission of the SARB is to help students stay in school, attend school regularly, and graduate. SARB is a community-based effort to bring together resources to assist families with attendance and truancy issues. The SARB is the District's effort to keep students and families out of the court system. San Bernardino City Unified School District's SARB works in collaboration with community partners such as (but not limited to) the District Attorney's Office, District Police, San Bernardino City Police Department, San Bernardino County Juvenile Probation, San Bernardino Public Defender's Office, San Bernardino County Sheriff's Department, California Department of Corrections, and United States Department of Justice. The SARB process has great potential to promote the understanding by pupils and their parents/guardians of the importance of regular school attendance.

Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Section 58500

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

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

INSTRUCTION AND CURRICULUM

Academic Standards and Assessments

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

child(ren) from CAASPP testing by submitting a letter in writing annually. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604, 60615, 60640; 5 CCR 852]

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

≡ **Local Control Funding and Accountability**

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

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

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

The plan must describe the overall vision for students, annual goals including language acquisition, and specific action to achieve these goals. The plan will demonstrate how the district’s budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Anyone can comment about proposals or expenditures to the school board; at parent, student, community engagement meetings; at staff LCAP meetings; or to the district LCAP Advisory Committee. Complaints regarding LCAP may be filed anonymously or using the District Uniform Complaint Procedures. [EC 305, 47606.5, 47607.3, 52060-52076, 5 CCR 4600, 4622]

≡ **Language Acquisition Programs**

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

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

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

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

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

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

≡ **School Counselors**

School counselors are trained educators possessing a valid teacher credential with a specialization in pupil personnel services. Counselors help students in grades 7-12 make decisions about their courses, extra-curricular activities, and

preparation for college and/or careers. They guide students through all the steps including information about financial aid, academic requirements, and careers. Counseling related to academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities will be available to all students without regard to their gender or gender identity, the gender listed in their records, or any protected group as listed under “Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs” on page 70. Most counselors are available by appointment and will meet with students and their families. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 48980, 49600, 48900, 51229; GC 11135; Title VI, Title IX; § 504; CIF 300D]

≡ District Courses

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may be reproduced at cost. Parents/Guardians have the right to review all course material. [EC 49091.14, 51101; PPRA]

≡ Homework

The San Bernardino City Unified School District has adopted a homework policy. Homework is an important part of each child’s educational progress. It is vital in that it gives students the opportunity for additional practice and learning at home, for the development of responsibility, study habits, independent time management, and personal accountability. It is important that cooperation exists between the home and school if the student is to benefit. [BP 6154 October 2007]

Helpful Hints

The parent needs to...

- Set a time and place for homework to be completed
- Become acquainted with the homework requirements for your child
- Assist your child by clarifying directions but not by completing their assignments

- In the event of emergency circumstances that prevent the child from completing the homework, please write the teacher a note
- Discuss with the teacher, on the following day, if the student has any problem areas or concerns
- Take a positive attitude towards homework

The student needs to...

- Take a positive attitude towards homework
- Understand what the homework assignments are and how to do them
- Take the materials needed to complete the assignments at home
- Give an honest effort on all assignments
- Complete and return homework on time
- Assume responsibility for making up missed homework assignments and ask for help when necessary

The teacher will...

- Assign appropriate homework related directly to classroom instruction
- Clearly explain and review homework so students can understand and complete the assignment with little or no assistance
- Base assignments on resources that are or can be reasonably available to students
- Provide practice on concepts previously taught by the teacher
- Provide success-oriented outcomes
- Provide feedback to students
- Communicate expectations to parents and students
- Give periodic reports to parents

Missed Work

Students will be given the opportunity to make up missed work and to receive credit. Students who are absent from school for any reason may receive full credit for assignments that are completed within a reasonable time. Students who do not complete and return their homework are not fulfilling the requirements of their grade level, and their grade may be affected as a result.

≡ Progress Reports / Report Cards

- Teachers may give Progress Reports on a weekly, biweekly, and/or monthly basis.
- Report cards are formally issued three times a year, at parent conferences and on the last day of school.
- We encourage our parents to contact their child's teacher on a regular basis regarding their child's progress. Our teachers are more than happy to share information and techniques that will help your child at home.

≡ Grade-Level Promotion

Students who achieve grade-level standards will be promoted. Students who do not meet grade-level standards will be retained or, in some cases, may be promoted with consideration due to extenuating circumstances.

Students who are at risk of being retained, based on low grades or test scores, should take advantage of offered academic support. All schools will provide intensive remediation programs that may be scheduled before school, after school, on Saturdays, or during intersession or summer school.

Parents/Guardians of students identified as being at risk of being retained shall be notified as early in the school year as possible. The District has established a process for appealing a decision to retain a student. The appropriate appeal forms are available at elementary school sites as well as the Elementary Instruction Department at 4030 Georgia Blvd., San Bernardino, CA 92407 or you may call (909) 473-2090. [BP 5123 October 2007; EC 37252-37254.1, 41505-41508, 46300, 48010, 48011, 48070-48070.5, 56345, 60640-60649; 5 CCR 200-202]

≡ Curriculum and Personal Beliefs

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

Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act. These will include comprehensive sexual health education, HIV education, and research findings regarding pupil health behaviors and risks. Students in grades 7-12 will gain a deeper understanding of HIV transmission, prevention, and treatment. They will also be taught about the prevalence of human trafficking and the methods traffickers employ, including social media and mobile devices. You will be notified before such instruction. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker. You have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. In this District, staff teaches these classes. During this class, students in grades 7-12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors.

Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at <https://leginfo.ca.gov>. [EC 51933-51939]

Tests/Surveys on Personal Beliefs

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

including those seeking information to be used in marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to surveys and personal information. Notice will be sent to parents prior to such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 51938, 60614; 60615; PPRA; 34 CFR 98; ESEA]

Dissection of Animals

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

≡ High School Credits and Graduation

Education code sets minimum course requirements to graduate from high school and earn a diploma. School districts may set additional requirements. The District has established guidelines for transferring credits and meeting graduation requirements. Please see the table under High School Graduation Requirements compared to UC/CSU Requirements on *(page 19)*.

Exceptions

Homeless, migratory, foster, military family, juvenile court youth, or youth participating in a newcomer program have special rights related to graduation and partial high school credits. They have the right to an adult to help make educational decisions. These students can be registered in their district of choice, but must provide proof of residency within 10 days. Foster and homeless youth also have special rights associated with college funding, and certain considerations in school discipline. The District Uniform Complaint Procedure may be used to file a complaint.

California High School Proficiency Exam

Students who are 16 years or older and have

completed grade 10, or those meeting other requirements, may take the California High School Proficiency Exam (CHSPE). If they pass, they will earn a State Certificate of Proficiency, which is equal to a high school diploma. Many students use the exam to start jobs or start college earlier than their expected graduation date. There may be a fee for taking the exam.

Cal Grant Application / Opt-Out

Cal Grant Awards are money provided by the State of California to assist in college expenses (tuition, room and board, books and other supplies). Each student in grade 12 are considered Cal Grant applicants unless they or their parent/guardian opt out. Unless the parent/guardian or the 18-year-old student opt out in writing by the second Friday in September, certified Grade Point Average (GPA) data will be transmitted to the CA Student Aid Commission no later than October 1, 2023. To receive the Grant, students must apply. For more information go to www.csac.ca.gov.

[EC 48412, 48430, 48645.5, 49701, 51225.1-51225.3, 51225.5, 51228, 51240-51246, 51410-51412, 51420-51425, 56055, 69432.9; 5 CCR 1600-1651, 4622, 11523; WIC 361, 726]

≡ University of California / California State University Admissions

Admission to the University of California (UC) requires completion of the 15 yearlong high school course list. These courses are also known as the "a-g" subjects. At least seven of the 15 yearlong courses must be taken in the students last two years of high school. A GPA of 3.0 (B) or higher is required for California residents.

Admission to the California State Universities (CSU) requires a minimum 15-unit pattern of courses for admission as a first-time freshman. Each unit is equal to a year of study in a subject area. A GPA of 2.0 (C) or higher is required for regular admission. Admittance is based on an eligibility index that combines multiple items. Transfer students are accepted.

Links to UC / CSU requirements:

admission.universityofcalifornia.edu/admission-requirements/
www.calstate.edu/apply

High School Graduation Requirements Compared to UC/CSU Requirements

	EC	UC	CSU	SBC USD
History/Social Science (a) Including US History & Geography, World or European History, American Government & Civics, and Economics	3	2	2	3
English (b)	3	4	4	4
Mathematics (c) One or two combined must meet standards for Algebra I	2	3 ⁺¹	3 ⁺¹	3
Science (d) One biological and one physical	2	2 [†]	2 [†]	3
Foreign Language (e)		2 ⁺¹	2	1
Visual/Performing Arts (f)	1	1	1	
Career Technical Education				
Physical Education	2			2
Career Development Career Tech, Cadet Corps, JROTC, ROP, or advanced courses leading to career				2
Electives (g)		1	1	5
TOTAL:				23

+1 One additional year is recommended in Mathematics for both CSU and UC, and in Foreign Language for UC.

† Specifics of courses vary from CSU to UC.

At this time SBCUSD offers the Career Technology Education courses that qualify toward the UC/CSU “(a)-(g)” requirements listed in “APPENDIX A – UC/CSU Qualified Career Technical Courses” on page 78 of this booklet.

Definition of Career Technical Education

A program of study that involves a multi-year sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. More information is available about Career Technical Education at California Department of Education, www.cde.ca.gov/ci/ct/.

[BP/AR 6146.1 February 2015; EC 48980, 51225.3, 51229; 5 CCR 1600-1651]

Advanced Placement Examination Fees

State funding is available to qualified low-income students to assist in paying all or part of Advanced Placement exams. [EC 48980, 52240]

SCHOOL RECORDS AND STUDENT ACHIEVEMENT

Pupil Records

Parents, guardians, foster parents, certain caregivers, and students over 18 have the right to review, inspect, and get copies of school records within five business days of a written or oral request or before any meeting regarding an individualized education plan (IEP) or a hearing. Those records are confidential, and privacy will be maintained. Student records are provided to schools where student transfers or wants to enroll. In some instances, information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, and health information. The records are maintained at the school sites by site registrars. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation 5125 sets forth the criteria by which school officials and employees whose duties require access can look at, change or delete the files and why. The full Board Policies on “General Information” (page 53), “Student Records” (page 53) can be found in this booklet.

Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made free of charge; official transcripts are available for ten dollars (\$10). With the proper documentation, the records can be changed to reflect a legal change of name and/

or gender of a student or a former student. You also have the right to file a written request with the superintendent challenging the records if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, a comment not based on personal observation with time and date noted, misleading information, or a violation of privacy rights. You can file a complaint about how your request was handled with the district or with United States Department of Education. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49060, 49062.5, 49063, 49068, 49069.3, 49070-49079.7, 51101, 51421, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99]

Students of Military Families

For a smoother transition, the District has established guidelines for transferring credits and meeting graduation requirements of students from military families. Also students can be registered in their district of choice, but must provide proof of residency within 10 days. [EC 51225.1, 51225.2]

Student Data from Social Media Websites

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

≡ Regulations Regarding Student Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [EC 49067]

≡ Teacher Qualifications

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

≡ Release of Directory Information

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information includes student's name, address, telephone number, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended. Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating nationality. You may have the district withhold any of this information by submitting a request in writing. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent. [AR 5125.1 (*page 56*) November 2007; EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA]

≡ School Safety Plan

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

STUDENT SERVICES

Student Meal Program

Meals are provided to all students at no cost under the Community Eligibility Provision (CEP). CEP allows high-poverty schools to serve breakfast and lunch at no cost to all enrolled students without collecting free or reduced meal applications. [EC 49510-49520, 49558; 42 USC 1761(a)]

New students to SBCUSD need to complete an Income Survey for the 2023-2024 school year. There are only two questions to answer per child and the form will be complete. Parents/Guardians can complete an Income Survey (digitally through the Aeries Parent/Student Portal during the online enrollment process.

Meal Charge Policy: All enrolled students are eligible to receive a healthy breakfast and lunch at no cost. Prices for second meals are as follows:

	Breakfast	Lunch
Elementary	2.50	4.00
Middle / High School	3.00	4.50

For your convenience, you have the option to pay online for your child’s second serving or à la carte items through our Parent Account Management System (PayPams). To create an account and register, go to www.PayPAMS.com. The PayPams Mobile App is also available for Android and iPhones. Please note that a service fee of \$1.95 will be charged for every online transaction.

Nutrition Services will continue to accept cash and/or check for pre-payments, up to one year, for your child’s meal service. All payments made by check should be payable to “SBCUSD Nutrition Services” and may be submitted at your child’s school cafeteria. All payments on account should be made before the school year starts. [BP 3551 April 2021; EC 38080-38086; 49490-49494; 49550-49564.5; 5 CCR 15550-15565; 42 USC 1751-1769, 1771-1793]

If you have any questions, contact Nutrition Services at (909) 881-8000 or <https://sbcusdnutritionservices.org>.

Student Use of Technology

The Board of Education intends that technological resources provided by the district be used in a safe,

responsible, and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district’s Responsible Use Agreement.

The Superintendent or designee shall provide age-appropriate instruction regarding the district’s Responsible Use Agreement, including instruction on the safe use of social networking sites and other Internet services including, but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online 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.

The Board desires to protect students from access to inappropriate matter on the Internet. The Superintendent or designee shall implement rules and procedures designed to restrict students’ access to harmful or inappropriate matter on the Internet. He/she 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.

Before using the district’s technological resources, each student and his/her parent/guardian shall sign and return Responsible Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian

shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision. [BP 6163.4 November 2014; EC 49073.6, 51006, 51007, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506; 20 USC 7101-7122, 7131; 47 USC 47 USC 254; 16 CFR 312.1-312.12; 47 CFR 54.52]

≡ **School Accountability Report Card**

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

≡ **Transportation**

Students must live within the SBCUSD boundaries to qualify for District transportation. For elementary students living more than 1½ miles from their school, middle school students living more than 2½ miles from their school, and high school students living more than 3½ miles from their school, transportation by bus can be arranged. Students will receive a bus pass, once bus transportation has been arranged for them.

Personal items brought on board the bus are the sole responsibility of the student. The bus company is not responsible for lost or stolen items. To retrieve or inquire on lost items, contact Durham Transportation at (909) 891-1500.

The District Transportation Department assigns bus stops. Problems concerning buses, behavior on buses, loading, complaints about drivers, bus stops, etc., should be routed to the District Transportation Department at (909) 388-6125.

How does my child receive a bus pass?

Visit the school office for a replacement or temporary bus pass.

Does my child need to have their bus pass to board the bus?

Students must have either a permanent or temporary bus pass at all times to board the school bus. Drivers check for bus passes, and they exercise the no pass/no ride rule.

The school bus is an extension of the classroom, and appropriate behavior is expected at all times. The rules for the bus are as follows:

- All rules covered in Ed Code
- Student must arrive at the designated bus stop at least five minutes, but no more than 10 minutes before the bus.
- Students are required to use only the designated bus stop as indicated on the student's bus pass.
- Students should go directly to the bus stop in the morning and directly home in the afternoon.
- No unauthorized passengers are to board the bus, including parents, unauthorized students, etc.
- Always follow the bus driver's directions
- Stay seated, wear seat belt properly, and face the front of the bus
- Keep hands, feet, and all objects to yourself
- Talk quietly
- No use of foul, offensive, and/or derogatory language or vulgar gestures
- There is no eating, smoking, or chewing gum on the bus
- Rider will not refuse to share seating
- No harassing or bullying other students/driver
- Keep all parts of your body inside the bus at all times
- Littering on the bus, vandalism, or throwing anything in or out of the bus will not be permitted.
- Medication shall not be transported on board the school bus.

All student discipline is administered by the student's school administrator in accordance to District Policy and Procedures. School bus riders who

choose to break one or more rules will be issued a school bus disciplinary referral form. All referrals are issued to the school site administrator who reviews, logs, and addresses each referral accordingly. 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 in accordance with regulations of the Governing Board of the District. Riding the school bus is a privilege and not a right.

Bicycles, Mopeds, and Motorcycles

Bicycles may be parked in the bicycle racks and must be secured with a chain and lock. Bicycles are not to be ridden on campus. The school is not responsible for the theft or damage of any bicycle. California Vehicle Code recognizes the bicycle as a legal form of transportation, but skateboards are not.

Mopeds and motorcycles must be parked in the student parking lot. All rules and regulations for motor vehicles apply to mopeds and motorcycles.

Skateboards

Skateboard use is prohibited at school for safety reasons. Do NOT ride a skateboard on campus and risk having it confiscated.

Damage to Motor Vehicles or Bicycles

The San Bernardino City Unified School District assumes no responsibility for loss or damages to motor vehicles or bicycles parked on campus. Every attempt will be made to keep surveillance on the parking areas, but, as in all public parking lots, you assume liability for your vehicle. The safety of drivers, passengers and pedestrians is paramount in all school parking lots.

Services to Students with Disabilities

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, contact the school. Your child will be evaluated to determine whether he/she is eligible for free special or modified instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. The District has policies guiding procedures for

identification and referral. Students identified with special needs will receive a Free Appropriate Public Education in the least restrictive environment. [BP 6164.4 October 2007; BP 6164.6 (*page 50*) April 2021; EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10)(A)(ii), 1412(a)(6)(A); 34 CFR 300.121]

Section 504

The District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

Lisa M. Noé, 504 Coordinator
Special Education Coordinator-Related Services
4777 N. State Street, San Bernardino, CA 92407
(909) 887-2072, lisa.noe@sbcusd.k12.ca.us

The San Bernardino City Unified School District recognizes its obligation to provide overall program accessibility throughout the District for individuals with disabilities. Contact the Section 504 Coordinator to obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by individuals with disabilities.

The lack of English language skills will not be a barrier to admission and participation in the District's programs. You may obtain additional information regarding languages other than English by calling the English Learners Program Department. The telephone number is (909) 891-1021.

Pupil Fees

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

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

Educational Activity Fees: No fees can be required or collected for student participation in an event

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

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

Exceptions: When fees may be required: By law, there are exceptions to the prohibition against charging of fees or deposits. These exceptions include, but are not limited to, transportation to non-essential activities, non-essential events where attendance is optional (such as a school dance), food served to students, damage to district provided materials such as textbooks, cost of community service classes, and fingerprinting. Money may also be collected for material used for projects that a student will be taking home, such as, material used in a career class like woodshop or sewing. The Uniform Complaint Procedure can be used regarding pupil fee compliance. A complaint may be filed with the school principal, and may be filed anonymously. [EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084, 38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630]

HEALTH SERVICES

≡ Immunizations

Documented proof that immunizations are up-to-date is required before attending school; districts may not allow "conditional" admittance into schools. Students may not participate in a classroom setting unless they have been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella, and tetanus. Students must be immunized for varicella (chickenpox) or provide proof from a doctor stating they have had the disease.

All new students, advancing students, or students transferring into grades 7-12 must be fully immunized, and will not be admitted without the required booster against pertussis (Tdap). The required immunizations are available through a usual source of medical care,

County Health Department, a school nurse, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services. Homeless, foster, migratory, and military youth can be enrolled without proof of immunization. [HSC 120325, 120335, 120338, 120375, 120400, 120405, 120410, 120415, 120440, 120480; EC 48216, 48852.7, 48853.5, 49403; 17 CCR 6000-6075; 42 USC 11432(C)(i)]

Exemptions

These requirements do not apply if a form from licensed physician cites why they should not. The physician submits the standardized electronic form directly to the California Immunization Registry (CAIR) and to the school for exemption; this is the only form the school will accept. The form will include physician information, the child's name and their school, the parent's/guardian's name, and the specific basis for and duration of the exemption.

If an outbreak of a communicable disease occurs, a non-immunized student will be excluded from school for their own safety until such a time as directed by health officials or district administration.

Forms submitted prior to January 1, 2020 and exemptions based on beliefs opposed to immunization submitted prior to January 1, 2016 are valid until the pupil enrolls in the next grade span (through preschool, grades K-6, grades 7-12). Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying your County Health Department. [HSC 120325, 120335, 120338, 120370, 120372, 120372.05; EC 48216]

≡ Physical Examinations

For each child enrolling in the District for the first time, including for kindergarten or first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. You may have your child immunized at the same time that the physical examination is conducted. [EC 49450, 49451; HSC 124085, 124100, 124105]

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

SAC Health – San Bernardino Campus
250 G Street, San Bernardino, CA 92410
(909) 382-7100

dph.sbcounty.gov/programs/fhs/chdp/

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

Oral Health Assessment

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

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

To help meet this requirement, at elementary schools, a licensed dental professional will be completing Oral Health Assessments at your students' school during the school year. The dental check-up will be completed at no charge and will not include a cleaning or treatment. As the screening date gets closer for your student's school, another letter will be sent home with more information. Once completed, if follow up care is needed, you will be notified with the results and next steps.

If you choose to complete the Oral Health Assessment requirement outside of the school setting,

the following resources are available to assist in finding a dental provider:

1. To find a dentist who takes Denti-Cal: Contact Medi-Cal/Denti-Cal, (800) 322-6384 or www.denti-cal.ca.gov
2. To enroll your student in Medi-Cal/Denti-Cal: Contact your local social service agency, (877) 410-8829
3. To find a dentist who takes Healthy Families insurance or find out if your student can enroll in the program: Contact Healthy Families, (800) 880-5305 or www.benefitscal.com
4. For additional resources: Contact Smile San Bernardino County, (800) 782-4264 or smilesbc.org

Vision, Hearing, and Scoliosis Screening

An authorized person will check your child's vision upon enrollment and in grades 2, 5, and 8 unless the student entered the District in grade 4 or 7. Hearing tests will be conducted when your child is enrolled or first enters a District school. Females in grade 7 and males in grade 8 may be screened for scoliosis (curvature of the spine). These tests may be administered unless you annually give the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying your consent. [EC 44878, 49451, 49452, 49452.5, 49455]

Medication

Children may take medication, which is prescribed by a physician, received in its original container, and can get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication or allow the student to self-administer certain medications.

This includes allowing a school staff member to volunteer and be trained to identify the need for, and to administer epinephrine to a student for anaphylaxis; glucagon as prescribed for diabetes; or anti-seizure medication as prescribed to a student

diagnosed with seizures, a seizure disorder, or epilepsy. Each school determines if it will have staff trained in the use and storage of auto-injectable epinephrine and/or anti-seizure medication. The District will have a supply of auto-injectable epinephrine at each school site. A school nurse or trained volunteer school employee may administer emergency naloxone hydrochloride or another opioid antagonist to persons suffering, or reasonably believed to be suffering, from an opioid overdose. [EC 49414, 49414.1, 49414.3, 49414.5, 49423, 49423.1, 49468.2, 49480]

Students may carry and self-administer a blood glucose level test, diabetes care, inhaled asthma medication, and auto-injectable epinephrine if the rules above are met and if a physician confirms in writing that the student is able to self-administer. The District does not allow parents to administer medical cannabis on campus. [BP 5141.21 October 2007; EC 49414, 49414.1, 49414.5, 49423, 49423.1, 49480; HSC 11362.79]

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

☰ Sun Protection

Students when outdoors can wear sun protective clothing, including, but not limited to hats. Students may also apply sunscreen during the day without a doctor's note or prescription. [EC 35183.5, 35291]

☰ Medical and Hospital Insurance for Students

The district DOES NOT provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472]

Under state law, school districts are required to

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

Accidents

The District and the school do not, and cannot assume any responsibility for accidents or injuries to students while on the school grounds or while participating in school-sponsored, off-campus activities.

A parent of each student is required to complete and to have on file at the school a Student Emergency Data card. The card lists the parent's preference of medical advisors and others to be contacted in case of accident or illness of the student. All information requested on the form should be accurately recorded, including emergency phone numbers and special health problems, if any.

In case of an accident to a student, the office staff or teachers trained in first aid will render services until the parents or the family medical advisor can be summoned.

Enrollment in a Health Care Plan

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

School-Sponsored Athletics

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

Also, high school athletes must sign a pledge they are not using steroids illegally or they will not

be allowed to participate. Parents must sign a form notifying them of the restriction. [EC 49033, 60041; HSC 11032]

≡ Student Access to Mental Health Services

School-based mental health services help address barriers to learning and provide appropriate student and family support in a safe and supportive environment. Reaching out for mental health services is simple; contact your school counselor, nurse, health aide, principal, or the district office. In the community a good place to start may be San Bernardino County Behavioral Health at (888) 743-1478. If you are in crisis contact this number or dial 911 immediately. [EC 49428]

Suicide Prevention

Suicide is a leading cause of death among youth, and school personnel is often in a position to recognize warning signs. The District makes an effort to reduce suicidal behavior and its impact and has developed strategies to intervene. These may include staff development, student instruction in coping skills, informing parents/guardians, methods for promoting a positive school climate, crisis intervention, and counseling (including for bereavement). Information about district programs and services and links to community and statewide resources are available on the District's website at www.sbcusd.com/departments/student-services-division/student-wellness-support-services/wellness-resources-forfamilies. [EC 215, 234.5, 234.6, 31180-32289, 49060-49079, 49602, 49604; GC 810-996.6; PC 11164-11174.3; WIC 5698, 5850-5883; BP 5141.52 May 2022]

≡ Schools Free of Tobacco, Alcohol, and Drugs

The Board has adopted Tobacco-Free, Drug-Free, and Alcohol-Free campus policies to promote student health and well-being. The District strives for a school environment free of these substances and has prevention and intervention programs. There may be programs through the District or in the community to support students' cessation from use of tobacco, alcohol, or drugs. For more information please contact the school/district nurse or a school administrator. [EC 51202-51203, 51260-51269; HSC 104420, 11999-11999.3; PC 13864]

≡ Diabetes Information

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

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

Type-2 Diabetes:

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

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

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

Type-1 Diabetes:

Type-1 diabetes is when your body simply doesn't make enough insulin. Type-1 diabetes is not preventable, but it is manageable. It is an autoimmune disease that may be caused by genetic, environmental, or other factors. It is usually first diagnosed in children or young adults, but it can occur at any age.

Risk Factors:

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

Being overweight: The single greatest risk factor for is excess weight. In the US, almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.

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

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

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

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

Warning Signs and Symptoms:

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

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular/No menstrual periods, and/or excess facial and body hair growth in girl
- High blood pressure or abnormal blood fats levels

- For type-1; Nausea, vomiting, and/or stomach pain

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

Diabetes Screening Tests:

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

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

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

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

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

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

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

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

≡ Meningitis

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

≡ Fluoride Treatments

Children are eligible for fluoride treatments through a program organized by the county health officer. Parents will get a record that the treatment was applied. The county health officer will determine how to pay for the program. Parents or a student 18 years old or more have the right to refuse this program using the form provided by the school district. This program is not meant to replace regular professional dental care. [HSC 104855]

STUDENT BEHAVIOR & SAFETY

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

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

No student, employee, or other individual will be retaliated against, in any manner for reporting conduct which he or she believes to be a violation of this policy, for participating in an investigation of a possible violation of this policy, or for using the District's Uniform Complaint Procedure.

≡ School Rules

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [EC 35291, 48980, 51101]

≡ Safe Place to Learn

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

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer(s) listed on page 71 for assistance. [EC 200, 215, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234, 234.1, 234.4, 234.5, 234.6, 51101, 66250, 66260.6, 66270; PC 422.55, 422.6; 5 CCR 4900; BP 5131.2 July 2023]

Emergency Drills

Two fire drills, two earthquake/disaster drills, and two lockdown drills are held each school year. A map showing the evacuation route is posted in every room. These drills are very important, serious exercises. Students are expected to act accordingly.

Fire Drill Procedures

The signal for a fire drill is the fire alarm. This sequence is repeated five times. During a fire drill, students will exit immediately and follow all teacher/staff instructions. The "all clear" is one long ringing of the bell.

Earthquake Procedures

During an earthquake/disaster, students are to “drop, cover and hold.” A supervisor will make an announcement to the school over the intercom system to give the evacuation command. The “all clear” is one long ringing of the bell.

Lockdown Procedures

The signal for a lockdown is an announcement over the school intercom requesting that all staff members lockdown their classrooms/offices. This announcement is accompanied by four long bells, followed by a pause. The “all clear” is an announcement over the school intercom by an administrator, followed by one long ringing of the bell. There is NO evacuation during a lockdown. Students are asked to follow all teacher/staff instructions.

Declaring an Emergency

An administrator will notify classrooms of a major emergency by using the school intercom. Students are asked to remain calm and follow all teacher/staff instructions, which may include evacuating or sheltering in place.

Crisis Counseling

In case of an emergency, staff members are trained to deal with issues our students may face. The District crisis intervention team is also available to assist our staff and students in dealing with traumatic events in our school community.

≡ Safety to and from School

The school and parents share the responsibility of training children to go directly to and from school. It is important to know what time your child is expected to be home. Be sure to discuss with your child the safest route to and from school, as well as where to go in an emergency between home and school. Children should carry identification with them at all times. Because of safety issues, kindergarten students are not allowed to walk home alone. Arrangements must be made for your child at dismissal time.

Teach your child to:

- CROSS the street at the corner or in a crosswalk between the yellow lines. WATCH for cars before crossing a street and cross only when it is safe.

- STAY ALERT while crossing a street. Drivers can make a mistake.
- WALK on the side of the road facing oncoming traffic if there is no sidewalk.
- FOLLOW the safest route to school. Go with your child the first few days and point out the hazards.
- TRAVEL in pairs or groups, never alone.
- USE safe areas for playing. Stress the importance of NOT playing in the street.
- RESPECT the property and pets of people on the way to and from school.
- AVOID strangers and NEVER get into a car with someone that he/she doesn't have permission to go with.

If your child is threatened or harmed on the way to or from school, call District Police at (909) 388-6130 and also notify the school.

Parents/Guardian(s) **MUST** inform the office if their child (particularly an elementary-age child) is to change his/her regular walking routine.

For instance, if the child is not supposed to walk home as he normally would and is to wait for you to pick up, or be picked up by someone else, we must have a note or a parent phone call. A student without a parent note or phone call will be sent home according to the previous, regularly established routine.

≡ Digital Communication Devices

Districts may regulate the possession or use of any cellphone, smartphone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. Students cannot be stopped from using such a device when: there is an emergency; there is a perceived threat of danger; when a teacher or administrator has said it is acceptable; or if it is part of an individualized education program (IEP). Possession or use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5, 48901.7]

≡ Dress & Grooming

The Board of Education believes that appropriate

dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. [BP 5132 October 2007; EC 212.1, 220, 32280-32289.5, 35183, 35183.5, 48907, 49066]

Library / Media Center

Students may visit the library before school, during breaks, or after school. Students will not be admitted to the library during class periods, unless a teacher accompanies them or they have a pass from their teacher. ID cards are required for most library services.

Those who come to the library must cooperate in providing an atmosphere that enables reading and studying to be uninterrupted. There are other areas on campus for eating and socializing.

Library materials must be returned by the due date. Do not deprive others of their use. Fines will be charged on overdue or damaged materials.

Library Use

1. Before and after school, students have open access to the library.
2. Students will not be admitted to the library during class periods unless accompanied by a teacher or unless they have a pass from a teacher.
3. Classes: Reservations for class use of the library must be made in advance.

Library Etiquette

1. Those who come to the library must cooperate in providing an atmosphere that enables uninterrupted reading and studying. Other areas are available on campus for eating and social gatherings. Students eating or drinking in the library will be asked to leave.
2. Library materials must be returned by the due date. Do not deprive others of their use. Fines will be charged on overdue or damaged materials.

General Behavior Policy for High School

- A. Students shall respect all constituted authorities. Agents of this constituted authority are all teachers, counselors, principals, or other certificated or classified personnel who are given authority over pupils. This shall include conformity to school rules and regulations, and those provisions of the law which apply to the conduct of juveniles or minors.
- B. No student shall deprive any other student or group of students an opportunity to gain an education. Thus, any action, behavior, or

practice which interferes with this right shall not be tolerated. If, in the judgment of a principal, teacher, or counselor, a student is causing others to lose their right to an education within the total educational setting, he/she may be suspended. Habitual violations of Board policy regulations student conduct shall be grounds for exclusion or expulsion. Non-students who cause similar disruptions shall be turned over to the authorities.

- C. High personal standards of courtesy, decency, morality, clean language, honesty and wholesome relationships with others shall be maintained. Respect for real and personal property will be shown by all.
- D. Every student who gives evidence of a sincere desire to remain in school, to be diligent in studies, and to profit from the educational experiences provided will be given every opportunity to do so and will be assisted in every way possible to achieve scholastic success to the limit of individual ability.
- E. Recognizing the privilege of representing one's school, the Board of Education feels that students who commit the following offenses should lose their privilege to represent their respective school or District for a period of no less than one quarter and not more than one year. This is to be determined by the principal and administrative staff.
 - 1. Providing, possessing, or using dangerous drugs, alcohol, narcotics, or other injurious substances.
 - 2. Habitual truancy
 - 3. Extortion of money, food, etc. from other students
 - 4. Theft
 - 5. Forging passes, attendance slips, or changing the marks on a report card
 - 6. Misbehavior in the educational setting which the principal and his administrative staff may feel brings discredit on the school and District.
- F. All school personnel have the responsibility to bring knowledge of any infraction of the above to the proper authorities.
- G. No student, regardless of his social status, race,

creed, or color, shall receive preferential treatment in any matter outlined in this policy of discipline.

- H. At intervals, upon the request of the Board of Education, Superintendent, or the San Bernardino Teachers Association, meetings will be held to modify, revise, change or update any part of this general policy.

Loitering (Curfew)

Any student under the age of 18 years, who is subject to compulsory education or to compulsory continuing education, alone or in concert with others, to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, other public grounds, public places, public buildings, places of amusement and eating places, vacant lots or any place open to the public during the hours of 8:30 am to 1:30 pm on days when said minor's school is in session. [MC 9.58.020]

Vandalism

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

Any student who maliciously defaces, damages or destroys school or personal property with graffiti and/or tagging is subject to arrest. Also, any student who is found in possession of a drill bit, glass cutter, grinding stone, awl, chisel, scribe, aerosol paint container, felt tip marker, or any other marking instrument or substance is subject to arrest. [PC 594-594.8]

Safe Gun Storage

Guns are now the third leading cause of death for children in this country. Over 80 percent of teens who commit suicide with a gun used one that belonged to someone in their home. Gun ownership is a right in the US, and it comes with substantial responsibilities. Anyone who reasonably knows a child might access a firearm without permission, loaded or not, is criminally liable for where that firearm is taken, brandished, or how it is used. This includes all school facilities or activities, events, and public places. More Information about gun safety and the safe storage of

firearms can be found at <https://oag.ca.gov/firearms/tips>. Those responsible for access to a firearm could lose the right to own a firearm for 10 years, face fines, imprisonment, and civil liability. When there is a threat of a homicide, school staff shall notify law enforcement. [EC 48980, 48986, 49390, 49391, 49392; PC 25000-25140]

RIGHTS AND PROTECTIONS

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

Many of SBCUSD's policies and regulations are provided in the "Your Rights, Protections, Procedures, and Complaints" section of this booklet starting on page 40.

☰ Know Your Educational Rights

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 discrimination 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 the 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. See the "Privacy" sub-section beginning on page 53 for more information.

Family Safety Plans if You Are Detained or Deported

You have the option to provide your child's 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. See “Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs” on page 70 and/or “Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities” on page 76 for more information.

Non-Discrimination Statement

The District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. There are several District Policies and Administrative Regulations available in the “Non-Discrimination / Harassment” sub-section beginning on page 56 of this booklet.

For questions or complaints, contact the Title IX Coordinator and Equity Compliance Officer:

Mike Medina, Affirmative Action Officer
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, mike.medina@sbcusd.k12.ca.us

DISCIPLINE

Parent Responsibility

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

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

Impersonation on the Internet

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

Drugs, Alcohol, and Tobacco

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

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

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

Except for members of the military, possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or thirty (30) hours of community service. Possession of approved tobacco cessation aids is not prohibited. A “tobacco product” is any product made or derived from tobacco or nicotine that is intended for human consumption, including an electronic device that delivers nicotine (commonly known as “e-cigarettes” or “vaping”). [EC 48900, 48901; HSC 11357, 11357.5, 11361, 11362.1, 11362.3, 104495, 104559; PC 308; VC 13202.5; BPC 22950.5, 25608; 20 USC 812, 814]

≡ Grounds for Suspension or Expulsion

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.
(3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
(4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286,

287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
 - (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil’s physical or mental health.
 - (C) Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.
 - (D) Causing a reasonable pupil to experience substantial interference with the pupil’s

ability to participate in or benefit from the services, activities, or privileges provided by a school.

- (2) (A) “Electronic act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - (i) A message, text, sound, video, or image
 - (ii) A post on a social network internet website, including, but not limited to:
 - (I) Posting to or creating a burn page. “Burn page” means an internet website created for the purpose of having one or more of the effects listed in paragraph (1); (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - (iii) (I) An act of cyber sexual bullying; (II) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A

photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act; (III) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion,

pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- (w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community. [EC 35291, 48900, 48901.1, 48910]

Additionally, sexual harassment, hate violence, harassment, intimidation (grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) may be recommended for suspension or expulsion. [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]

Homework shall be provided for a student suspended for two (2) or more days upon request. Such homework turned in on time that cannot be graded in time, will not be included in the calculation of the pupil’s grade in the class. [EC 48913.5]

≡ **Mandatory Suspension / Expulsion**

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

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

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

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

- 5. Possession of an explosive.

≡ **Student Search**

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

≡ **Release of Student to Peace Officer**

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

DISTRICT FACILITIES

≡ **Asbestos-Containing Material**

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

≡ **Pesticide Use**

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. Only fully certified pesticides can be used on school grounds. The identification includes the name and active ingredients. The school’s Integrated Pest Management Plan (IPM) is updated by July 31st each year. The IPM, pesticide names and active ingredients, and application dates are posted on the school and/or district website at <https://sbcusd.com/pesticides>.

<u>Product Name</u>	<u>Active Ingredient(s)</u>
Advion Ant/Cockroach gel bait	Indoxacarb

<u>Product Name</u>	<u>Active Ingredient(s)</u>
Advion Ant Bait/Cockroach	
Arena Arilon	Indoxacarb
Alpine WSG	Dinotefuran
Amdro Pro	Hydramethylnon
Aquabac	Bacillus Thuringiensis
Bifen I/T	Bifenthrin
Brandt Magnify	Ammonium Sulfate
Cheetah Pro	Glufosinate-Ammonium
Crossfire	Clothianidin, Metofluthrin, Piperonyl Butoxide
Cy-Kick CS	Cyfluthrin
Cynoff EC	Cypermethrin
Cynora 9.7	Lambda-cyhalothrin
Cyzmic	Lambda-cyhalothrin
Defendor	Florasulam
Delta Dust	Deltamethrin
Demand CS	Lambda-cyhalothrin
Demon WP	Cypermethrin
Demon WP-Max	Cypermethrin
Dimension 270-G	Dithiopyr
Dragnet/Tengard SFR	Permethrin
Exciter	Pyrethrins, Piperonyl Butoxide- Technical
Exponent	Piperonyl Butoxide
Fumitoxin	Aluminum phosphide
Gentrol IGR	Hydroprene
Gopher Getter Type 2	Diphacinone
Lasko-Prosecutor	Glyphosate, Isopropylamine salt
Masterline	
Bifenthrin 7.9	Bifenthrin
Nyguard IGR /	
Tekko Pro	Pyriproxyfen
Omega Gopher Bait	Strychnine Alkaloid
Oneguard	Prallethrin, Lambda-Cyhalothrin, Piperonyl Butoxide, Pyriproxyfen
PCQ Pro	Dichacinone
Pendulum Aquacap	Pendimethalin

<u>Product Name</u>	<u>Active Ingredient(s)</u>
RCO Avalon	Strychnine Alkaloid
Selontra	Cholecalciferol
SpeedZone Southern	Carfentrazone-ethyl, 2,4-d, 2-Ethylhexyl Ester, Mecoprop-P, Dicamba
Suspend	Deltamethrin
Temprid	Imidacloprid
Tergo turf fuel	Organic and Inorganic Acids/ Detergents and Surfactants
Termidor SC	Fipronil
Triple Pro	Nitrogen, Ammoniacal Nitrogen, Urea Nitrogen
Vendetta Plus	Pyriproxyfen, Abamectin
Wasp Freeze	d-Trans Allethrin, Phenothrin
Wilco Ground	
Squirrel Bait	Diphacinone

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov. [EC 17610.1, 17612, 48980; FAC 13184]

≡ Further Information is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office. [FERPA; 34 CFR 99.7(b)]

YOUR RIGHTS, PROTECTIONS, PROCEDURES, AND COMPLAINTS

SAFETY AND SECURITY

BP 1250: Visitors / Outsiders

The Board of Education encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during non instructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal's permission.

Monitoring and Receiving Visitors onto Campus

No outsider—which would include immigration enforcement officers—shall enter or remain on school grounds of any school within the San Bernardino City Unified School District during school hours without having registered with the principal or designee. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the following information to the principal or designee:

- Name, address, occupation;
- Age, if less than 21;
- Purpose in entering school grounds;
- Proof of identity, and
- Any other information as required by law.

The San Bernardino City Unified School District shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful

conduct of the school's activities, consistent with local circumstances and practices.

The San Bernardino City Unified School District shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.

The San Bernardino City Unified School District personnel shall report entry by immigration enforcement officers to any on-site school police or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

Parental Notification of Immigration-Enforcement Actions

The San Bernardino City Unified School District personnel must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.

The San Bernardino City Unified School District personnel shall immediately notify the students parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a Judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

Responding to On-Campus Immigration Enforcement

As early as possible San Bernardino City Unified School District, personnel shall notify the Superintendent or designated administrator of any request by an immigration enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).

In addition to notifying the Superintendent or designated administrator, SBCUSD personnel shall take the following action steps in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before proceeding with his

or her request, and absent exigent circumstances, school personnel must first receive notification and direction from the [Superintendent or administrator].

2. Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the phone number of the officer's supervisor.
3. Ask the officer for his/her reason for being on school grounds and document it.
4. Ask the officer to produce any documentation that authorizes school access.
5. Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, the District personnel should comply with the officer's orders and immediately contact the [Superintendent or other administrator].
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the immigration-enforcement officer has:
 - An ICE (Immigrations and Customs Enforcement) administrative warrant (see Appendix B), the District personnel shall inform the agent that he or she cannot consent to any request without first consulting with the District agency's counsel or other designated agency official.
 - A federal judicial warrant (search-and-seizure warrant or arrest warrant) (see Appendix C & D), prompt compliance with such a warrant is usually legally required. If feasible, consult with the District agency's legal counsel or designated administrator before providing the agent access to the person or materials specified in the warrant.
 - A subpoena for production of documents or other evidence (see Appendix E & F), immediate compliance is not required. Therefore, The San Bernardino City Unified School District personnel shall inform The San Bernardino City Unified School District legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.
8. While The San Bernardino City Unified School District personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, the District personnel shall document his or her actions while on campus.
9. After the encounter with the officer, the District personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
 - List or copy of the officer's credentials and contact information;
 - Identity of all school personnel who communicated with the officer;
 - Details of the officer's request
 - Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - The San Bernardino City Unified School District personnel's response to the officer's request;
 - Any further action taken by the agent; and
 - Photo or copy of any documents presented by the agent.
10. The San Bernardino City Unified School District Personnel shall provide a copy of those notes, and associated documents collected from the officer, to the legal counsel or other designated personnel of The San Bernardino City Unified School District.
11. In turn, the San Bernardino City Unified School District's legal counsel or other designated official, shall submit a timely report to the governing board regarding the officer's requests and actions and the District's response(s).
12. E-mail the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

Responding to the Detention or Deportation of a Student's Family Member

The San Bernardino City Unified School District

shall encourage that families and students have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors' contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.

The San Bernardino City Unified School District shall permit students and families to update students' emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available.

- The San Bernardino City Unified School District shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student's parent or guardian is detained.
- The San Bernardino City Unified School District shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.

In the event a student's parent/guardian has been detained or deported by federal immigration authorities, the San Bernardino City Unified School District shall use the student emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, the District shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. The San Bernardino City Unified School District shall only contact Child Protective Services if the personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver's Authorization Affidavit, or other information or instructions conveyed by the parent or guardian. [BP 1250 July 2023; EC 32210, 32211, 32212, 35160, 35292, 49091.1, 51101, 51512; EVC 1070; LC 230.8; PC 290, 626-626.11, 626.81, 627-627.10, 627.1, 627.2, 627.7]

BP 5145.13: Response To Immigration Enforcement

The Governing Board is committed to the success of all the students and believes that every school site should be a safe and welcoming place for all students and their families, irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law.

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status.

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement.

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student. The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information.

Parental Notification of Immigration-Enforcement Actions

District personnel must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.

District personnel shall immediately notify the student's parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena

that restricts the disclosure of the information to the parent or guardian.

Responding to On-Campus Immigration Enforcement

As early as possible, District personnel shall notify the Superintendent or designated administrator of any request by an immigration enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).

In addition to notifying the Superintendent or designated administrator, District personnel shall take the following action steps in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before proceeding with his or her request, and absent exigent circumstances, school personnel must first receive notification and direction from the Superintendent or administrator.
2. Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the phone number of the officer's supervisor.
3. Ask the officer for his/her reason for being on school grounds and document it.
4. Ask the officer to produce any documentation that authorizes school access.
5. Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, District personnel should comply with the officer's orders and immediately contact the Superintendent or other administrator.
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the immigration-enforcement officer has:

An ICE (Immigrations and Customs Enforcement) administrative warrant (see Appendix B), District personnel shall inform the agent that he or she cannot consent to any request without first consulting with the District's counsel or other designated agency official.

A federal judicial warrant (search-and-seizure warrant or arrest warrant) (see Appendix C & D),

prompt compliance with such a warrant is usually legally required. If feasible, consult with the District's legal counsel or designated administrator before providing the agent access to the person or materials specified in the warrant.

A subpoena for production of documents or other evidence (see Appendix E & F), immediate compliance is not required. Therefore, the SBCUSD personnel shall inform District legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.

1. While District personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, District personnel shall document his or her actions while on campus.
2. After the encounter with the officer, District personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
 - List or copy of the officer's credentials and contact information;
 - Identity of all school personnel who communicated with the officer;
 - Details of the officer's request;
 - Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - The District personnel's response to the officer's request;
 - Any further action taken by the agent; and
 - Photo or copy of any documents presented by the agent.
 - District personnel shall provide a copy of those notes, and associated documents collected from the officer, to the legal counsel or other designated personnel of SBCUSD.
 - In turn, the District's legal counsel or other designated official, shall submit a timely report to the governing board regarding the

officer's requests and actions and the District's response(s).

- E-mail the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

Responding to the Detention or Deportation of a Student's Family Member

The San Bernardino City Unified School District shall encourage that families and students have, and know, their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors' contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.

The San Bernardino City Unified School District shall permit students and families to update students' emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available.

The San Bernardino City Unified School District shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student's parent or guardian is detained.

The San Bernardino City Unified School District shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.

In the event a student's parent/guardian has been detained or deported by federal immigration authorities, the San Bernardino City Unified School District shall use the student emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, the District shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. The District shall only contact Child Protective Services if the personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver's Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.

Policies for Responding to Hate Crimes and Bullying

Adopting and Publicizing Anti-Bullying and Anti-Harassment Policy

- The San Bernardino City Unified School District shall adopt and publicize policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a student's actual or perceived nationality, ethnicity, or immigration status. Those policies must be translated in the student's primary language if at least 15 percent of the students enrolled in the school speak a single primary language other than English.
- The San Bernardino City Unified School District shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs.
 - This information shall include information related to the "Know Your Rights" immigration enforcement established by the Attorney General (see Appendix G).
- The District shall inform students who are victims of hate crimes of their right to report such crimes.

Processing Complaints of Harassment and Bullying

The San Bernardino City Unified School District shall adopt a process for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics:

- | | |
|----------------------|----------------------|
| • Disability | • Religion |
| • Gender | • Sexual Orientation |
| • Gender Identity | • Association with |
| • Gender Expression | a person or group |
| • Immigration Status | with one or more of |
| • Nationality | the aforementioned |
| • Race or Ethnicity | characteristics |

The complaint process must include, but is not limited to, the following steps:

- A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so;
- A timeline to investigate and resolve complaints

of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the local educational agency; and

- An appeal process afforded to the complainant should he or she disagree with the resolution of a complaint.
- The District shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
- The District shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.

Training Students, Teachers, and Staff on Anti-Bullying and Anti-Harassment Policy

The San Bernardino City Unified School District shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs.

The San Bernardino City Unified School District shall also train teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training should, at minimum, provide agency personnel with the skills to do the following:

- Discuss the varying immigration experiences among members of the student body and school community;
- Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying or harassing behavior;
- Take immediate corrective action when bullying is observed; and
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

[BP 5145.13 June 2023; EC 200, 220, 234.1, 234.7, 48204.4, 48980, 48985; GC 8310.3; PC 422.55, 627-627.10; FERPA]

BP 5131.2: Bullying

The San Bernardino City Unified School District recognizes the harmful effects of bullying on student

well-being, student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel including but not limited to actual or perceived sexual orientation and gender identity/ gender expression, as well as race, ethnicity, nationality, gender, disability, and religion, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in District schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff. As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable District and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the District's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or administrative designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and

district policy on intra-district or interdistrict transfer, as applicable.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal. [BP 5131.2 July 2023; EC 200-262.4, 32280-32289.5, 32283.5, 35181, 35291-35291.5, 46600, 48900-48925, 48985, 52060-52077; 5 CCR 4600-4670; PC 422.55, 647, 647.7, 653.2; 47 USC 254; 28 CFR 35.107; 34 CFR 104.7, 106.8, 110.25]

BP 5145.9: Hate-Motivated Behavior

The Board of Education affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

In addition, the district strives to provide schools that are welcoming, safe and nurturing for all students. To achieve that, schools are implementing safety through our trauma-responsive components; developing relationships and a sense of community through Restorative Practices; and providing expectations to engage in the academic tasks through Positive Behavior Interventions and Supports. Within the scope of Social-Emotional Learning development, outlined by the SBCUSD SEL Standards and Grade Span Benchmarks, to be considered proficient in the Social Awareness competency, students must be able to take the perspective and empathize with others, including others from diverse backgrounds and cultures. Specifically, Students must demonstrate awareness and empathy for others' emotions, perspectives, languages, cultures, and histories. Students are provided instruction and practice with these skills through the development process.

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall

notify the principal, Superintendent or designee, and law enforcement, as appropriate for investigation. Students demonstrating hate-motivated behavior shall be subject to interventions and consequences in accordance with Board policy and administrative regulation.

In addition, the district shall provide counseling, social emotional learning development, additional interventions and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

The Superintendent or designee shall require that staff receive appropriate professional development to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

At the beginning of each school year, students and staff shall receive a copy for the purpose of understanding and following the district's policy on hate-motivated behavior. [BP 5145.9 August 2020; EC 200-262.4, 32280-32289.5, 48900.3, 48900.4; GC 11135; PC 422.55, 422.6; 5 CCR 4600-4670, 4900-4965; 28 CFR 35.107; 34 CFR 100.3, 104.7, 106.3, 106.44, 106.45, 106.8, 110.25]

ATTENDANCE AND PARTICIPATION

BP 5111: Admission

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children seeking admission to a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.

All appropriate staff shall receive training on District admission policies and procedures, including

information regarding the types of documentation that can and cannot be requested.

The District's enrollment application shall include information about the health care options and enrollment assistance available to families within the District. The District shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family.

Verification of Admission Eligibility

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

The District shall not inquire into, or request documentation of, a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or his/her family members.

While such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs, the information must be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/ guardians obtained by the District, or the student's or parent/guardian's refusal to provide such information to the district. Accordingly, such information must not be requested of students or their families, or considered in any way, during the enrollment process.

School registration information shall list all possible means of documenting a child's age for grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the District shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or

a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or his/her inability to produce previous academic, medical, or other records normally required for enrollment.

Immigration Status, Citizenship Status and National Origin Information

SBCUSD personnel shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, the District personnel shall solicit that documentation or information separately from the school enrollment process.

Where permitted by law, the Student Records Department of SBCUSD shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law of this policy, the District procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

Social Security Numbers or Cards

The San Bernardino City Unified School District shall not solicit or collect entire Social Security numbers or cards.

The San Bernardino City Unified School District shall solicit or collect the last four digits of an adult household member's Social Security number only if required to establish eligibility for federal benefits.

When collecting the last four digits of an adult

household member's Social Security number to establish eligibility for a federal benefit program, the San Bernardino City Unified School District shall explain the limited purpose for which this information is collected, and clarify that a failure to provide this information will not bar the student from enrolling or attending the school.

The San Bernardino City Unified School District shall treat all students equitably in the receipt of all school service, including, but, not limited to, the gathering of student and family information for the free and reduced lunch program, transportation, and educational instruction. [BP 5111 June 2023; EC 234.7, 46300, 46600, 48000, 48002, 48010, 48011, 48050-48054, 48200, 48350-48361, 48645.5, 48850-48859, 49076, 49076.7, 49408, 49700-49703; HSC 120325-120380, 121475-121520; CC 51; 5 CCR 200, 201; 17 CCR 6000-6075; CCP 1002.7; 5 USC 552a; 42 USC 11431-11435]

BP 6145: Extracurricular and Cocurricular Activities

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development and experiences of students. The District shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational programs.

No extracurricular and cocurricular program or activity shall be provided or conducted separately and no district student's participation in extracurricular and cocurricular activities shall be required or refused based on the student's sex, gender expression, gender identity, gender, sexual orientation, ethnic group identification, race or ethnicity, ancestry, immigration status, nationality, national origin, religion, color, or mental or physical disability, age or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics.

Membership in student clubs must be open to all pupils regardless of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

Requirements for participation in extracurricular and cocurricular activities shall be limited to those that are essential to the success of the activity.

Any complaint regarding the district's

extracurricular and cocurricular programs or activities shall be filed in accordance with BP/ AR 1312.3 – Uniform Complaint Procedures. No student shall be prohibited from participating in extracurricular and cocurricular activities related to the educational program because of inability to pay fees associated with the activity.

Eligibility Requirements

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7 through 12 must demonstrate satisfactory educational progress in the previous grading period including but not limited to:

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale
2. Regardless of the overall grade point average, a student who receives an F in any class at the semester will be placed on academic probation and given an academic assistance plan for the period of one quarter.
3. Maintenance of minimum progress toward meeting high school graduation requirements.
4. Students who accumulate 10 or more unexcused period absences during a grading period will be ineligible to participate in extracurricular activities during the remainder of the grading period.
5. A student must maintain satisfactory attendance and not be absent on the day of the athletic or extracurricular activity. The principal may waive this requirement if there is evidence that the absence is of an extraordinary nature.
6. Students who are under suspension or expulsion shall be ineligible to participate during the period of the suspension/expulsion.

The Superintendent or designee may grant ineligible students a probationary period of not more than one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation.

The Superintendent or designee shall provide the necessary assistance to help ineligible students achieve the academic standards required by law.

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor

citizenship is serious enough to warrant loss of this privilege.

Annual Policy Review

The Board shall annually review this policy and implementing regulations. [BP 6145 July 2023; EC 35145, 35160.5, 35179, 35181, 48850, 48930-48938, 49010-49013, 49024, 49700-49703; 5 CCR 350, 4900-4965, 5531, CA Constitution Article 9, Section 5; Title IX]

≡ BP 5146: Education and Support Services for Pregnant and Parenting Students

The Board of Education recognizes that early marriage, pregnancy or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The Board desires to support male and female expectant and parenting students to attain strong academic and parenting skills and to promote the healthy development of their children.

Married, expectant and parenting students shall have the same educational and extracurricular opportunities as all students. Participation in special programs or schools shall be voluntary.

For school-related purposes, married students under the age of 18 are emancipated minors and have all the rights and privileges of students who are 18, even if the marriage has been dissolved.

Expectant and Parenting Students

The Board is committed to providing to expectant and parenting students and their children a comprehensive, continuous, community-linked program that reflects the cultural and linguistic diversity of the community.

The Superintendent or designee shall collaborate with community agencies and organizations to ensure that appropriate educational and related support services are available to meet the needs of expectant and parenting students and their children.

Expectant and parenting students retain the right to participate in any comprehensive school or educational alternative programs. School placement and instructional strategies for participating students shall be based on the needs and learning styles of individual students. The classroom setting shall be the preferred instructional strategy unless an alternative is

necessary to meet the needs of the individual student and/or child.

In addition to providing a quality education program for expectant and parenting students, the district's program shall provide parenting education and life skills instruction, special school nutrition supplements for pregnant and lactating students, and a child care and development program on or near the school site for the children of enrolled students. The district's program may provide other support services authorized by Education Code 54746 as necessary to meet the needs of students and their children.

The District shall notify pregnant and parenting pupils of their rights and options available under the law through the annual school year welcome packets and through independent study packets.

The District shall also annually notify parents/guardians of pupils at the beginning of the regular school term of the rights and options available to pregnant and parenting pupils under the law.

The District shall apply no rule concerning a pupil's actual or potential parental, family, or marital status that treats pupils differently on the basis of sex.

The District shall not exclude or deny any pupil from any educational program or activity solely on the basis of the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.

The District treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability.

The District shall not make pre-admission inquiry as to the marital status of an applicant for admission, including whether such applicant is "Miss" or "Mrs." A District may make pre-admission inquiry as to the sex of an applicant for admission, but only if such inquiry is made equally of such applicants of both sexes and if the results of such inquiry are not used in connection with discrimination prohibited by Title IX.

Reasonable Accommodations

The District shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A school shall be required to provide the reasonable accommodations specified only if there is at least one lactating pupil on the school campus.

- (a) Reasonable accommodations under this section include, but are not limited to, all of the following:
 - i. Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
 - ii. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
 - iii. Access to a power source for a breast pump or any other equipment used to express breast milk.
 - iv. Access to a place to store expressed breast milk safely.
- (b) A lactating pupil shall be provided a reasonable amount of time to accommodate her need to express breast milk or breast-feed an infant child.
- (c) Only school sites with at least one lactating pupil shall provide the reasonable accommodations specified above. A school subject to this may use an existing facility to meet the requirements.
- (d) A pupil shall not incur an academic penalty as a result of her use, during the school day, of the reasonable accommodations specified in this section, and shall be provided the opportunity to make up any work missed due to such use.

[BP 5146 August 2022; EC 221.51, 222, 222.5, 230, 46015, 48050, 48205, 48206.3, 48220, 48410, 48980, 49553, 51220.5, 51745, 52610.5, 8200-8490; FC 7002; HSC 104460; CC 51; 5 CCR 4600-4670, 4950; 22 CCR 101151-101239.2, 101351-101439.1; 20 USC 1681-1688; 42 USC 1786; 7 CFR 246.1-246.28; 34 CFR 106.40]

AR 6164.6: Identification and Education Under Section 504

Definitions

“Eligibility” for services under Section 504 of the federal Rehabilitation Act of 1973 means a student with a disability has any of the following conditions:

- 1. A physical or mental impairment which substantially limits one or more major life activities
- 2. Has a record or history of such impairment
- 3. Is regarded as having such impairment because he/she:
 - a. Has a physical or mental impairment that does not substantially limit a major life activity

but is treated by the district as having such a limitation (e.g., a student who has scarring, a student who walks with a limp)

- b. Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others towards such impairment (e.g., a student who has scarring or disfigurement)
- c. Has no physical or mental impairment but is treated by the district as having such an impairment (e.g., a student who tests positive with the HIV virus but has no physical effects from it)

“Major life activities” mean functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

“Physical or mental impairment” means any of the following:

- 1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine
- 2. Any mental or psychological disorder, such as intellectual disabilities, organic brain syndrome, emotional or mental illness, and specific learning disabilities

District Coordinator for Implementation of Section 504

The district has designated the following individual to coordinate its efforts to comply with the requirements of law, Board policy, and administrative regulation pertaining to the implementation of Section 504:

Lisa M. Noé, 504 / Special Education Coordinator
4777 N. State Street, San Bernardino, CA 92407
(909) 887-2072, lisa.noe@sbcusd.k12.ca.us

Referral, Identification, and Evaluation

- 1. Any student may be referred by a parent/guardian, teacher, other school employee, student success team, or community agency for consideration of eligibility as a student with a disability under Section 504. This referral may be made to the principal or 504 Coordinator.

2. Upon receipt of a referral for eligibility, the principal shall promptly convene a meeting of a multi-disciplinary 504 team to consider the referral and determine whether an evaluation of the student is appropriate.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options.

The team's determination shall be based on a review of the student's school records, including academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

Prior to conducting an evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

If the 504 team determines that an evaluation is unnecessary, it shall inform the parents/guardians of this decision and of the procedural safeguards as described below.

3. If the team believes that a student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to initial placement and before any significant change in placement.

The district's evaluation procedures shall ensure that tests and other evaluation materials:

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
 - b. Are tailored to assess specific areas of educational need and are not based solely on a single IQ score
 - c. Reflect aptitude or achievement or whatever else the tests purport to measure and do not reflect the student's impaired sensory, manual, or speaking skills unless the test is designed to measure these particular deficits
4. In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained

from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34.

Accommodation Plan and Placement

1. If, upon evaluation, a student is determined to be eligible for services under Section 504, the 504 team shall meet to develop a written accommodation plan which shall specify placement, accommodations, and supplementary aids and services necessary to ensure that the student receives a free appropriate public education. The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.
2. If the 504 team 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 on eligibility factors.
3. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/ her individual needs.
4. The district shall complete the identification, evaluation, and placement process within a reasonable time frame.
5. A copy of the student's accommodation plan shall be kept in his/her student record. The student's teacher, and any other staff who provide services to the student, shall be informed of the plan's requirements.

Review and Reevaluation

1. The 504 team shall monitor the progress of the student and the effectiveness of the student's plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of non-disabled students. The team shall review the student's accommodation plan annually. In addition, the student's eligibility under Section 504 shall be reevaluated at least once every three years.

2. A reevaluation of the student's needs shall 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 right to:

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 including requesting an Alternative Dispute Resolution through the Special Education/SELPA.

Notifications shall also detail the parent/guardian's right to file a grievance with the school district over an alleged violation of Section 504 regulation; right to have an evaluation that draws on information from a variety of sources; right to be informed of any proposed actions related to eligibility and plan for services; right to receive all information in the parent/guardian's native language and primary mode of communication; right to periodic reevaluations and an evaluation before any significant change in program/service modifications; right to an impartial hearing if there is a disagreement with the school district's proposed action; right to be represented by counsel in the impartial hearing process; and right to appeal the impartial hearing officer's decision.

If a parent/guardian disagrees with the identification, evaluation, or educational placement of his/her child under Section 504, he/she may initiate the following procedures:

1. Within 30 days of receiving the accommodation plan, file a written complaint with the 504 Coordinator detailing his/her disagreement and request that the 504 team review the plan in an attempt to resolve the disagreement. This review shall be held within 14 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, request in writing that the Superintendent or designee review the plan. This review shall be held within 14 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, request in writing a Section 504 due process hearing and address to SELPA Director. The request shall include:
 - a. The specific nature of the decision or action with which the parent/guardian disagrees
 - b. The specific relief the parent/guardian seeks
 - c. Any other information the parent/guardian believes pertinent

Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

The 504 Coordinator shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

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. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.

Any party to the hearing shall be afforded the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students who are qualified as disabled under Section 504
2. Present written and oral evidence
3. Question and cross-examine witnesses
4. Receive written findings by the hearing officer

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction. Until otherwise notified the decision shall be implemented.

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty

under Section 504. [AR 6164.6 December 2010; EC 49423.5, 52052, 52060-52077, 56043, 56321; 5 CCR 3051.12; FERPA; 20 USC 1400-1482; 29 USC 705, 794; 42 USC 12101-12213; 28 CFR 35.101-35.190; 34 CFR 104.1, 104.1-104.61, 104.3, 104.32, 104.33, 104.34, 104.35, 104.36, 104.37, 104.7]

PRIVACY

Annual Notification of General Information Policy

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT PROVIDES: The San Bernardino City Unified School District must provide an annual notice to parents and guardians of the school's general information policies that includes:

- The San Bernardino City Unified School District will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.
- Student record is any item of information other than directory information, gathered within or outside the district, that is directly related to an identifiable student and maintained by the district or required to be maintained by an employee in the performance of his/her duties. Any information maintained for the purpose of second-party review is considered a student record. A student record may be recorded in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche or by other means. Student records include the student's health record. Please refer to AR 5125 for explanation of all student records.
- For a list of the circumstances or conditions under which the district might release student information to outside people or entities please refer to AR 5125.
- A statement that, unless the district is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the district shall notify parents or guardians and eligible students – and receive their written consent – before it releases a student's personally identifiable information. For further clarification please refer to AR 5125.

BP 5125: Student Records

The Governing Board recognizes the importance

of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records.

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information.

Social Security Numbers or Cards

The District shall not solicit or collect entire Social Security numbers or cards. The District shall not solicit and collect the last four digits of an adult household member's Social Security number only if required to establish eligibility for federal benefit programs. When collecting the last four digits of an adult household member's Social Security number to establish eligibility for a federal benefit program, the District shall explain the limited purpose for which this information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school. The District shall treat all students equitably in the receipt of all school services, including, but, not limited to, the gathering of student and family information for the free and reduced lunch program, transportation and educational instruction.

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program, based upon legal advice from District counsel, and not upon any District personnel's own independent assessment of the law. The Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a district employee receives such a

request, he/she shall immediately report the request to the Superintendent. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information.

The Superintendent or designee shall not compile a list, registry, or database based on students’ national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable.

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety.

Contract for Digital Storage, Management, and Retrieval of Student Records

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

If SBCUSD decides to release directory information, SBCUSD shall provide an annual notice to parents and guardians, and eligible students in attendance, of SBCUSD’s directory information policy that includes the categories of information that SBCUSD has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in education code section 49061, subdivision (c).

Access for Limited Purpose/Legitimate Educational Interest (Circumstances or conditions under which SBCUSD might release student information to outside people or entities)

Unless SBCUSD is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, SBCUSD shall notify parent or guardians and eligible students –and receive their written consent– before it releases a student’s personally identifiable information.

Annual Information Notice to Parents and Guardians

General Information Policy

The San Bernardino City Unified School District must provide an annual notice to parents and guardians of the school’s general information policies that includes:

SBCUSD will not release information to third parties for immigration-enforcement purposes, except as required by law or court order.

Directory Information Policy

If SBCUSD decides to release directory information, SBCUSD shall provide an annual notice to parents and guardians, and eligible students in attendance, of SBCUSD’s directory information policy that includes:

The categories of information that SBCUSD has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in education code section 49061, subdivision (c).

Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes:

- | | |
|----------------------------|---|
| 1. Name | officially recognized |
| 2. Address | activities and sports |
| 3. Telephone number | 8. Weight and height of athletic team members |
| 4. Photograph | 9. Dates of attendance |
| 5. Date and place of birth | 10. Degrees and awards received |
| 6. Major field of study | 11. Most recent previous school attended |
| 7. Participation in | |

Directory information does not include citizenship

status, immigration status, place of birth, or any other information indicating national origin (except where SBCUSD receives consent as required under state law).

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform parents/guardians or student of their right to refuse to let the district designate any or all types of information as directory information and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information.

Directory information shall not be released regarding any student whose parent /guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent.

Information Sharing

SBCUSD shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by Family Educational Rights and Privacy Acts (FERPA)

SBCUSD personnel shall take the following action steps upon receiving an information request related to a student's or family's immigration or citizenship status:

- Notify Director of Student Records about the information request
- Provide students and families with appropriate notice and a description of the immigration officer's request.
- Document any verbal or written request for information by immigration authorities.
- Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the local educational agency prohibits disclosure, SBCUSD shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

SBCUSD shall require written parental or guardian consent for release of student information, unless the information is relevant for a legitimate educational interest or includes director information only.

Neither exception permits disclosing information to immigration authorities for immigration enforcement purposes; no student information shall be disclosed to immigration authorities for immigration-enforcement purposes without a court order or judicial subpoena.

SBCUSD requests for written or parental or guardian consent for release of student information must include the following information: (1) the signature and date of the parent, guardian or eligible student providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians or eligible student, a copy of the records to be released. SBCUSD shall permanently keep the consent notice with the record file.

The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information that is not otherwise subject to release, the District shall not release the information.

Collecting and Retaining Student Information

The Student Records Department shall maintain in writing SBCUSD's policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

If SBCUSD possesses information that could indicate immigration status, citizenship status, or national origin information, SBCUSD shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school.

If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin information, SBCUSD shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

SBCUSD shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin. [BP 5125 May 2023; EC 17604, 234.7, 48201, 48853.5, 48902, 48904-48904.3, 48918, 48980, 48985, 49060-49079, 49091.14, 51745, 56041.5, 56050, 56055, 69432.9; FC 3025, 6552; HSC 120440; PC 245; GC 7920.000-7930.215; 5 CCR 16020-16027, 430-438; BPC

AR 5125.1: Annual Notification of Student Directory Information

If the San Bernardino City Unified School District decides to release directory information, the San Bernardino City Unified School District shall provide an annual notice to parents and guardians, and “eligible students” in attendance, of the San Bernardino City Unified School District directory information policy that includes:

- The categories of information that the San Bernardino City Unified School District has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code Section 49061, subdivision (c).
- Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the San Bernardino City Unified School District received consent as required under state law).
- Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such information includes:

1. Name	officially recognized
2. Address	activities and sports
3. Telephone number	8. Weight and height of athletic team members
4. Photograph	9. Dates of attendance
5. Date and place of birth	10. Degrees and awards received
6. Major field of study	11. Most recent previous school attended
7. Participation in	

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform parents/ guardians or students of their right to refuse to let the district designate any or all types of information as directory information and the period of the time within which a

parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information.

Parents or Guardians have the ability to refuse release of the student’s directory information by completing the district approved form at the beginning of the school year or when enrolling in school. This form must be completed during enrollment, during the first 30 days of the school year, or upon request by the parent or guardian. [AR 5125.1 November 2007; EC 234.7, 49061, 49063, 49073, 49073.5, 49603; FERPA; 10 USC 503; 20 USC 7908; 42 USC 11434a]

NON-DISCRIMINATION / HARASSMENT

BP 5145.3: Non-Discrimination / Harassment Policy

The San Bernardino City Unified School District is committed to providing all students a learning environment that is free of discrimination, harassment, intimidation, and bullying in accordance with applicable state and federal laws. This nondiscriminatory learning environment is for the benefit of all district students and all students are expected to fully comply with this policy. Additionally, non-district students who have contact with any of the district’s students are expected to conduct themselves in accordance with this policy in any district school or district school-sponsored activity. Absolutely no one is authorized to engage in conduct prohibited by this policy.

The District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. Moreover, students will not be excluded on the basis of the aforementioned protected bases from participation in or access to any educational program, guidance and counseling programs, testing procedures, curricular or extracurricular, including all sports and other activities; denied the benefits of participation, or subjected to harassment or other forms of discrimination, harassment, intimidation, or bullying in such programs. This policy applies to all acts related to school activity or school attendance occurring within a school under

the jurisdiction of the Superintendent of the school district.

“Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, as defined, including, but not limited to, sexual harassment, hate violence, or harassment, threats, or intimidation, that has the effect or can reasonably be predicted to have the effect of placing a reasonable pupil, as defined, in fear of harm to that pupil’s or those pupils’ person or property, causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health, causing a reasonable pupil to experience substantial interference with his or her academic performance, or causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“Electronic act” means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

“Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Gender means sex, and includes a person’s gender identity and gender related appearance and behavior whether or not stereo typically associated with the person’s assigned sex at birth.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student’s ability to participate in or benefit from school services, activities or privileges. School personnel who witness such acts of discrimination, harassment, intimidation, or bullying based on actual or perceived characteristics delineated in this policy are required to take immediate steps to intervene when safe to do so.

Sexual Harassment

All of the foregoing applies to complaints of sexual harassment. For the purpose of clarification, prohibited

sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature where such conduct has the purpose or effect of having a negative impact upon the individual’s academic performance, or creating an intimidating, hostile, or offensive educational environment; where submission to such conduct is explicitly or implicitly made a term or condition of an individual’s academic status or progress; where submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual; where submission to, or rejection of, such conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the district and its school sites.

Examples of Prohibited Behavior:

1. Exposing genitals
2. Shouting obscenities
3. Mooning
4. Streaking
5. Leaving obscene messages on school computers
6. Whistling at other students and/or school employees
7. Threatening rape
8. Intentionally pressing or rubbing oneself sexually around another person
9. Teasing other students and/or school employees about their sexual activity or body
10. Unwanted deliberate hugging, kissing, touching, patting, pinching, grabbing, leaning over, or cornering a student or school employee
11. Flipping up skirts
12. Pulling down someone’s pants, shorts or skirt
13. Bra, pants, shorts or skirt snapping
14. Continual staring at a person’s body
15. Sexual or dirty jokes
16. Actual or attempted rape or sexual assault
17. Unwanted pressure for sexual favors or dates
18. Making sexual gestures with hands or through body movements
19. Unwanted letters or materials of a sexual nature
20. Kissing sounds, howling, and smacking lips

21. Looking a person up and down
22. Sexual rumors
23. Comments about the body
24. Violating personal space
25. Pornographic pictures, posters, drawings or stories
26. Offensive displays of sex-related objects
27. Offensive graffiti of a sexual nature, racial nature or of any discriminatory basis
28. Holding a person against his or her will

Enforcement

Disciplinary action up to and including expulsion will be promptly taken against any student if it becomes known to the district and proven by school officials that such student has engaged in conduct prohibited by this policy.

No Retaliation

No student, employee, or other individuals will be retaliated against, in any manner, for reporting conduct which he or she believes to be a violation of this policy, for participating in an investigation of a possible violation of this policy, or for using the district's Uniform Complaint Procedure. The identity of the complainant alleging discrimination, harassment, intimidation, or bullying will remain confidential, as appropriate.

Complaints

Students who have been subjected to discriminatory harassment have an obligation to immediately report the incident or incidents to their principal or designee or the district's Affirmative Action Officer, who is also the district's Title IX Coordinator. The Affirmative Action Officer or designee is the responsible local educational agency officer for ensuring the district's compliance with the requirements of Chapter 5.3 (commencing with Section 4900) of Division 1 of Title 5 of the California Code of Regulations and Chapter 2 (commencing with Section 200) and may be contacted at:

Mike Medina, Affirmative Action Officer
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, mike.medina@sbcusd.k12.ca.us

The complaint filed with the district's Affirmative Action Office will be processed in accordance with the district's Uniform Complaint Policy and Procedure.

Students, parents, guardians, employees, or third parties may report any incidents covered by this policy to the school site administrator of the child's school who will investigate the allegations in a timely manner. It is encouraged and recommended that students use the district's Uniform Complaint Procedure; however, they may seek recourse by pursuing available remedies outside the district. The district's Affirmative Action Office will have available the specific rule and procedures for reporting charges of sexual harassment and for pursuing available remedies.

Notifications

Pursuant to Educational Code 231.5, a copy of this policy will be displayed in a prominent location in the main administrative building at each school site of the district or other areas where notices regarding the district's rules, regulations, procedures and standards of conduct are posted. Also, this policy will be a part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable. At the beginning of each school year, the district's sexual harassment policy will be included in the notifications that are sent to parents/guardians and will be disseminated to each staff member annually, at the beginning of the first quarter or semester of the school year, or at the time a new employee is hired. This policy will also appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct. This policy and the policy on bullying prevention shall be posted in all schools and offices, including staff lounges and pupil government meeting rooms. Any teacher, counselor, or district employee who receives a sexual harassment or bullying incident report from any student or adult in the educational setting and/or if the alleged incident occurred on district property or school site, or at a district or school-related or sponsored activity, must report this information to the site administrator. Site administrators are required to submit a report to the Affirmative Action Office in order for the Affirmative Action Office to maintain a record of complaints for sexual harassment and bullying. [BP 5145.3 July 2022; EC 200-262.4, 48900.3, 48900.4, 48904, 48907, 48950, 48985, 49020-49023, 49060-49079, 51500, 51501, 60044; 5 CCR 432, 4600-4670, 4900-4965, 1714.1, 11135, 422.55, 422.6; 20 USC 1681-1688; 42 USC 6101-6107; § 504; ADA; Title VI; Title VII; Title IX; 28

BP 5145.7: Student Sexual Harassment Policy

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The District strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the District's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the District's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the District's website, and including it in student and staff handbooks. All District staff shall be trained regarding the policy.

Instruction/Information

The Superintendent or designee shall ensure that all District students receive age-appropriate information

on sexual harassment. Such instruction and information shall include:

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

Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary

action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be considered.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-keeping

In accordance with law and District policies and regulations, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address, and prevent repetitive harassing behavior in District schools.

Notice of Title IX Sexual Harassment Policy

The Code of Federal Regulations, Title 34, Section 106.8 requires the District to issue the following notification to students at all grade levels and their parents/guardians:

The District does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law and extends to employment. The District also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school District to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education or both.

The District has designated and authorized the following employee as the District's Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Mike Medina, Affirmative Action Officer
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, mike.medina@sbcusd.k12.ca.us

Pursuant to 34 CFR 106.8, the District must

provide notice to employees, bargaining units, and job applicants of the District's grievance procedures and process, including how to report or file a formal complaint of sexual discrimination and/or harassment, and how the District will respond.

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During District business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable District complaint procedure.

To view an electronic copy of the District's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 5145.71 – Sexual Harassment and AR 5145.71 Title IX Sexual Harassment Complaint Procedures on the district's web site at www.sbcusd.com.

To inspect or obtain a copy of the District's sexual harassment policies and administrative regulations, please contact:

Affirmative Action Office
Board of Education Building
777 N. F Street San Bernardino, CA 92410

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process are also publicly available on the District's web site or at the District office upon request. [BP 5145.7 July 2022; EC 200-262.4, 48900, 48900.2, 48904, 48980, 48985; 5 CCR 4600-4670, 4900-4965, 1714.1, 51.9, 12950.1; FERPA; 20 USC 1092, 1221, 1681-1688; 42 USC 1983; 34 USC 12291; Title VI; Title VII; 34 CFR 106.1-106.82, 99.1-99.67]

≡ AR 5145.71: Title IX Sexual Harassment Complaint Procedures

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

1. A District employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

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

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

Reporting Allegations / Filing a Formal Complaint

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

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

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, website, or any other method authorized by the district

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted

under the Title IX regulations, including as part of the District's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

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

Supportive Measures

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

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

Emergency Removal from School

A student shall not be disciplined for alleged sexual harassment under Title IX until the investigation has been completed. However, on an emergency basis, the District may remove a student from the District's education program or activity, provided that the District conducts an individualized safety and risk analysis, determines that removal is justified due to

an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.

If a District employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process.

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complainant in which the alleged conduct did not occur in the District's education program or activity or did not occur against a person in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the District in writing that the complainant would like to withdraw the complaint or any allegations in the complaint the respondent is no longer enrolled or employed by the District, or sufficient circumstances prevent the District from gathering evidence sufficient to reach a determination with regard to the complaint.

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

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

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the 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.

The District may facilitate an informal resolution process provided that the District:

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.

Written Notice

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

1. The District's 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, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
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.

The above notice shall also include the name of

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

Investigation Procedures

During the investigation process, the District's designated investigator 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, and 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, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report.
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.

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.

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

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

Written Decision

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

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

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

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

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

In making this determination, the decision-maker

shall use the “preponderance of the evidence” standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees.

The written decision shall include the following:

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 or policies 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.

Appeals

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

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.
3. Give both parties a reasonable, equal opportunity

to submit a written statement in support of, or challenging, the outcome.

4. Issue a written decision describing the result of the appeal and the rationale for the result.
5. Provide the written decision simultaneously to both parties

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

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

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

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

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

Remedies

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

Corrective / Disciplinary Actions

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

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has

committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion.

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

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

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

Record-keeping

The Superintendent or designee shall maintain, for a period of seven years:

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the District's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The District shall make such training materials publicly

available on its web site, or if the District does not maintain a web site, available upon request by members of the public.

Note: 34 CFR 106.8 requires the District to provide notice to students and parents/guardians of its policy prohibiting sexual harassment and its grievance procedures that provide for the prompt and equitable resolution of sexual harassment complaints. The following exhibit presents a sample notification that meets these requirements and may be modified to reflect District practice for a sample notice for employees, bargaining units and applicants for employment see 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures.

Pursuant to 34 CFR 106.8, the District must provide the Title IX Coordinator's contact information on its web site and in any handbook for students or parents/guardians. In addition, state law requires distribution of the District's sexual harassment policy through the parental notification at the beginning of the school year, in any orientation program for new and continuing students, in any publication of rules of student conduct, and by posting the policy on the District's web site, in school offices, and in a poster displayed in locker rooms and bathrooms.

Notice of Title IX Sexual Harassment Policy

The Code of Federal Regulations, Title 34, Section 106.8 requires the District to issue the following notification to students at all grade levels and their parents/guardians:

The District does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law and extends to employment. The District also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school District to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education or both.

The District has designated and authorized the following employee as the District's Title IX Coordinator to address concerns or inquiries regarding

discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Mike Medina, Affirmative Action Officer
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, mike.medina@sbcusd.k12.ca.us

Pursuant to 34 CFR 106.8, the District must provide notice to employees, bargaining units, and job applicants of the District's grievance procedures and process, including how to report or file a formal complaint of sexual discrimination and/or harassment, and how the District will respond.

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During District business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable District complaint procedure.

To view an electronic copy of the District's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 5145.71 – Sexual Harassment and AR 5145.71 Title IX Sexual Harassment Complaint Procedures on the district's web site at www.sbcusd.com.

To inspect or obtain a copy of the District's sexual harassment policies and administrative regulations, please contact:

Affirmative Action Office
Board of Education Building
777 N. F Street San Bernardino, CA 92410

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process are also publicly available on the District's web site or at the District office upon request. [AR 5145.71 September 2022; EC 200-262.4, 200-262.4, 48900, 48900.2, 48985; CC 1714.1, 51.9; GC 12950.1; 5 CCR 4600-4670, 4900-4965; FERPA; 20 USC 1092, 1221, 1681-1688; 34 USC 12291; 42 USC 1983; Title VI; Title VII; 34 CFR 106.1-106.82]

BP 5145.7: Student Sexual Harassment

The Code of Federal Regulations, Title 34, Section 106.8 requires the District to issue the following

notification to students at all grade levels and their parents/guardians:

The District does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law and extends to employment. The District also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school District to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the District's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education or both.

The District has designated and authorized the following employee as the District's Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Mike Medina, Affirmative Action Officer
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, mike.medina@sbcusd.k12.ca.us

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During District business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable District complaint procedure.

To view an electronic copy of the District's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 5145.71 – Sexual Harassment and AR 5145.71 Title IX Sexual Harassment Complaint Procedures on the district's web site at www.sbcusd.com.

To inspect or obtain a copy of the District's sexual harassment policies and administrative regulations, please contact:

Mike Medina, Affirmative Action Officer
777 North F Street, San Bernardino, CA 92410
(909) 381-1122, mike.medina@sbcusd.k12.ca.us

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process are also publicly available on the District's website or at the District office upon request. [BP 5145.7 July 2022; EC 200-262.4, 48900, 48900.2, 48904, 48980, 48985; 5 CCR 4600-4670, 4900-4965, 1714.1, 51.9, 12950.1; FERPA; 20 USC 1092, 1221, 1681-1688; 42 USC 1983; 34 USC 12291; Title VI; Title VII; 34 CFR 106.1-106.82, 99.1-99.67]

BP 4119.11: Staff Sexual Harassment Policy

The Governing Board is committed to providing all employees and students a working and learning environment that is free of discrimination in accordance with applicable state and federal laws. This nondiscriminatory working and learning environment is for the benefit of all district employees (non-supervisory, supervisors and management) and students. All employees are expected to fully comply with this policy. Additionally, non-employees who have contact with the district's employees or students during working or educational hours are expected to conduct themselves in accordance with this policy. Absolutely no one is authorized to engage in conduct prohibited by this policy.

In keeping with this commitment to a nondiscriminatory working environment, the district maintains a strict policy prohibiting sexual harassment or sexual discrimination. This policy prohibits all forms of discriminatory harassment through any means, including nonverbal, verbal (including derogatory comments, slurs, propositions, teasing, jokes or taunts), physical (including gestures, touching, obstructing or otherwise interfering with a person's movement) or visual (including leering, cartoons, drawings, magazines, notes, letters or posters).

This policy prohibits all conduct by which an employee or student because of sex, sexual orientation, or gender orientation is subjected to unwelcome, offensive, intimidating, oppressive or otherwise interfering harassment or is subject to any discrimination, thereof on district property or district/school related activities. Students and employees will not be excluded on the basis of sex, sexual orientation, or gender from participation in any educational program, curricular or extracurricular, including all sports and other activities, denied the benefits of participation, or subjected to harassment or other

forms of discrimination in such programs. This policy also prohibits bullying based on actual or perceived gender and all such acts related to school activity or school attendance of students occurring with a school under the jurisdiction of the Superintendent of the school district.

Gender is defined as the person's actual sex, or the perception of the person's sex, and includes the perception of the person's identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with that person's sex at birth. The district may require persons to comply with reasonable workplace appearance, grooming, and dress standards consistent with state and federal law, provided that persons are allowed to appear or dress consistently with their gender identity.

Sexual Harassment

All of the foregoing apply to complaints of sexual harassment. For the purpose of clarification, prohibited sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal, visual or physical conduct of a sexual nature where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or (2) submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions effecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with work or educational performance or creating an intimidating, hostile, or offensive working or learning environment.

Examples of prohibited harassing acts:

1. Unwelcome sexual advances or sexual propositions
2. Kidding, teasing, or joking of a sexual nature or of other protected bases delineated above
3. Graphic commentary about an individual's body, sexual prowess or sexual deficiencies
4. Derogatory or demeaning comments about anyone's gender in general or gender identity or expression, epithets, slurs or jokes about one's race or ethnicity, color, national origin, religious creed, physical or mental disability, age (40 and over), sex, gender identity or expression, sexual orientation, or marital status
5. Leering or staring at someone

6. Unwelcome suggestive or insulting sounds such as whistles, kissing sounds, howling, or sucking noises
7. Touching, patting, pinching, stroking, squeezing, tickling or brushing against another's body
8. Displaying offensive objects, pictures, calendars, cartoons, magazines, videotapes, audio recordings or literature which are sexual in nature
9. Unwelcome use of sexually degrading language or innuendoes
10. Obscene gestures

Consensual sexual relationships

Romantic or sexual relationship of any employee with elementary or secondary students is clearly prohibited pursuant to state molestation laws concerning adults and children. Romantic or sexual relations between an adult student and faculty member or between a subordinate employee and his/her superior can raise "serious concerns" where there may be a conflict of interest and abuse of power. Such relations may lead to favoritism of a student or subordinate employee with whom the teacher or superior is sexually involved and where such favoritism adversely affects other students and/or employees.

1. Unwanted neck or shoulder massage
2. Spreading rumors about a person's sexuality
3. Graffiti about a person's sexuality
4. Letters, notes, telephone calls, e-mail or materials of a sexual nature
5. Stalking a person
6. Attempted or actual sexual assault
7. Making or threatening reprisals after a negative response to sexual advances
8. Impeding or blocking of one's movement
9. Repeatedly asking out a person who is not interested

Enforcement

Disciplinary action up to and including termination will be promptly taken against any employee (non-supervisory, supervisor or manager) if it becomes known to management that such person has engaged in conduct prohibited by this policy.

No Retaliation

No employee or students shall be retaliated against,

in any manner, for reporting conduct which he/she believes to be a violation of this policy, for participating in an investigation of a possible violation of this policy, or for using the District's Complaint Procedure.

Retaliation against anyone reporting or perceived to have reported sexual harassment behavior or bullying because of one's gender is prohibited. Any retaliatory conduct shall be considered a serious violation of this policy and shall be independent of whether a complaint of sexual harassment is substantiated. Moreover, encouraging others to engage in retaliatory conduct also violates this policy.

Examples of prohibited retaliation:

- | | |
|-------------------------------|----------------------------|
| 1. Unfair grading | 5. Oral or written threats |
| 2. Unfair evaluation | 6. Intimidation |
| 3. Unfair assignment | 7. Destruction of property |
| 4. Public or private ridicule | 8. Further harassment |

Complaints

Individuals who have been subjected to discriminatory harassment have an obligation to immediately report the incident or incidents to their immediate supervisor or the district's Affirmative Action Officer, who is also the district's Title IX Coordinator. The complaint will be processed in accordance with the district's Uniform Complaint Policy and Procedure. School personnel who witness such bullying acts are required to take immediate steps to intervene when safe to do so.

The procedure set forth pursuant to the district's Uniform Complaint Policy and Procedure does not deny the right of any individual to pursue other avenues of remedy under the jurisdiction of any state or federal law.

The confidentiality of the reporting or complaining party will be observed provided it does not interfere with the district's ability to investigate or take corrective action and will remain confidential, as appropriate.

Written notice to both parties of investigation, allegations, potential policy violations, all interviews, changes in process, meetings, hearings, appeals, decisions, or other adjustments made during the investigative process.

The trained investigator should not be the decision maker/hearing officer or appeal officer.

Both parties have the equal opportunity for a representative of their choice, no credibility determinations based on role, provide the same opportunity to present and consider evidence.

The Investigator has the burden to gather evidence and provide evidence to both parties with ten (10) days to review and comment.

The burden of proof is measured by the preponderance of the evidence or clear and convincing evidence.

An investigative summary/report may be required to both parties with ten (10) days to review and respond.

During the investigative process, it is presumed that the respondent is not responsible for the alleged conduct.

The District may dismiss the formal complaint or allegations if the allegations do not meet the definition of sexual harassment, or conduct occurred outside of the program or activity, or conduct did not occur against a person in the United States of America.

The District may dismiss the formal complaint or allegation if the complainant requests in writing, respondent is not enrolled/employed or circumstance prohibit gathering of sufficient evidence.

The District code of conduct prohibits knowingly making false statements or knowingly submitting false information during the process.

Supportive Measures

As a part of this policy, there will be a requirement to provide an offer of supportive measures in order to avoid a burden on the involved parties for individualized concentration.

- Must be offered to anyone as soon as institution has notice of possible Title IX concern.
- Non-punitive, non-disciplinary, and not unreasonably burdensome to the other party.
- Ensure equal educational access, protect safety or deter sexual harassment.
- Counseling, course-related adjustments, modify schedule, escort, increased security and monitoring, mutual restrictions on contact between the parties, voluntary independent study and other programs.

Enforcement

Disciplinary action up to and including termination

will be promptly taken against any employee (nonsupervisory, supervisor or manager) if it becomes known to management that such person has engaged in conduct prohibited by this policy.

Emergency Removal

The District may remove the respondent (by placing the employee on administrative Leave).

- Undertake individualized safety and risk analysis (Provide supportive measures to involved Parties).
- Analysis reveals immediate threat to the physical health or safety of the individual.
- Notice to the respondent (advising of allegations).
- Opportunity to challenge the decision immediately following the removal (the employee may submit an appeal to the Assistant Superintendent or their designee).
- Cannot modify rights under IDEA, Section 504, or ADA

Cross-Examination and Optional Hearing

If a hearing is not used, the parties involved are allowed to submit written questions. If the questions are not asked a written reason must be provided.

Rape Shield Protections (if the complaint of sexual harassment reveals that a criminal case exists, the law enforcement agency with jurisdiction shall be sent the referral with appropriate information).

Evidence about the complainant's prior sexual behavior or discipline record is irrelevant unless it's offered to prove someone else committed the conduct. Optional Live Hearing (an expulsion hearing may not replace this hearing)

A separate virtual room is an acceptable option. At the request of either party, can separate the parties with technology.

Cross-Examination through the Investigation. Each party's advisor may ask other party and witnesses relevant follow up and credibility questions.

Failure to be at the hearing for cross-examination eliminates certain evidence.

Decision After the Hearing

Decision Maker determines responsibility.

- Must not/cannot be the Title IX Coordinator or Investigator.

- The Decision Maker must be trained to rule on relevant questions and weigh evidence.
- Understands the “preponderance of the evidence” or “clear and convincing evidence” standard.

Informal Resolution Process

The District reserves the option, based on the complainant’s concerns and input, to provide and establish an informal resolution process based on the following criteria.

- An optional process that may use informal resolution process on a case-by-case basis.
- Informed, mutual consent where both parties must give voluntary, informed, and written consent but cannot be required as a condition of enrollment/employment.
- Right to withdraw from informal process at any time and resume formal processing.
- This is not suitable for student vs. employee matters and/or allegations that an employee harassed a student.

Written Decision and Appeal

Includes the finding of fact, conclusion, rationale, disciplinary sanction, and remedies to the complainant.

Any basis for an appeal must be procedural irregularity in nature that affected the outcome, any new evidence that was not reasonably available that could have affected the outcome, any conflict of interest or bias generally proven or specifically identified by the Title IX Coordinator, Investigator, or decision maker.

The complainant has a right to appeal the decision by filing a written appeal to the Decision Maker for Appeals.

Notifications

Pursuant to Educational Code 212.6, a copy of this policy will be displayed in a prominent location in the main administrative building or other areas of the school site. A prominent location is a location where notices regarding the district’s rules, regulations, procedures, and standards of conduct are posted.

Also, a copy of this policy will be provided to each person employed by the school district at the beginning of the first quarter or semester of the school year, or at the time that a new employee is hired.

Site administrators or immediate supervisors who

receive a sexual harassment incident report from any employee, non-employee or the public are required to submit a report to the Affirmative Action Office in order for the Affirmative Action Office to maintain a record of complaints. Also, any report or complaint of bullying based on actual or perceived gender with their resolution will be submitted to the Affirmative Action Office.

The San Bernardino City Unified School District has established the Title IX investigative and processing team, under the Title IX Coordinator as prescribed in the Affirmative Action Officer within Labor Relations and Compliance under the Human Resources Division. The following are subject to re-alignment at the discretion of the District:

Title IX Coordinator:

Affirmative Action Officer

Investigators:

Assistant Affirmative Action Officer and others pre-selected on a case-by-case basis by the Title IX Coordinator

Facilitator of Informal Resolution Process:

Human Resources Officer or designee

Hearing Officer/Decision Maker:

Labor Relations and Compliance/Employee Relations Director

Decision Maker for Appeals:

Assistant Superintendent of Human Resources or designee

[BP 4119.11 July 2022; EC 200-262.4; GC 12900-12996, 12940, 12950, 12950.1; LC 1101, 1102.1; 2 CCR 11006-11086, 11009, 11021, 11023, 11024, 11034; 5 CCR 4900-4965; 20 USC 1681-1688; Title VII; 34 CFR 106.1-106.9, 106.51-106.61]

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

The district prohibits the following, and shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, historically associated racial traits, nationality, national origin, immigration status,

ethnicity, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

District is committed to equal opportunity for all individuals in education and in employment. The District shall promote programs that ensure non-discriminatory practices in all District activities. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the Districts website at <https://docs.google.com/forms/d/e/1FAIpQLSfZe5azKOy-LlyPja4WMfZx2Raio7GeljMbMIGLor10HBp8wQ/viewform>. You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. If you want further details in this regard, or if you believe your or your child(ren) have been subjected to the above and wish to file a complaint, please contact the District official responsible for compliance with Title V, Title VI, Title IX, § 504, and Uniform Complaints. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law:

Affirmative Action; Title IX; Uniform Complaints:

Mike Medina, Affirmative Action Officer /
Title IX Coordinator / Uniform Complaint Officer
777 North F Street, San Bernardino CA 92410
(909) 381-1122 mike.medina@sbcusd.com

Special Education:

Lisa M. Noé, 504 / Special Education Coordinator
4777 N. State Street, San Bernardino, CA 92407
(909) 887-2072, lisa.no@sbcsd.k12.ca.us

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, technical training, ROP programs and centers, Agricultural Vocational Education, child

development, State Preschool, Early Childhood Education Program Assessments, Consolidated Categorical Aid, Economic Impact Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, American Indian Education Centers, Bilingual Education, nutrition services, special education, after school education and safety, homeless or foster youth education options, course content, physical education (including instructional minutes grades 1-6), discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, ESEA (Titles I-VII), Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234 et seq., 234.6, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI; Title VII; Title IX; § 504; IDEA; 34 CFR 106.9]

District's Uniform Complaint Process

You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student or pupil fees may be filed within 12 months of the occurrence. Complaints regarding LCAP may be filed anonymously. Complaints regarding Pupil Fees may be filed anonymously and with the principal. If a complaint regarding pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints.

Those complaining (Complainants) are protected from retaliation and their identities are confidential when related to discrimination. Staff dealing with complaints are knowledgeable about the laws and programs they are investigating. The complaint may be

dismissed if complainant obstructs or does not provide all information. If the District acts in the same manner, the finding may be affected.

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

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

American Civil Liberties Act 504: Office of Civil Rights

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

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

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

General Education: this school district

Health and Safety/Child Development: Department of Social Services

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

[20 USC 11138; 34 CFR 300.510-511, 300.513; EC 235.262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632]

Complaints of Mistreatment of Special Education Students

Complaints of mistreatment of Special Education students are investigated by the California Department of Education (CDE). The CDE is required by law to investigate allegations of mistreatment. The mistreatment of a Special Education student is a violation of the student's rights to a free, appropriate public education. The CDE will conduct an investigation if the allegation indicates that the child or a group of children has been mistreated or otherwise subjected to immediate danger to their health, safety, or welfare: 5CCR s.4650(a) (viii) (C). Should you wish to learn more about a possible CDE investigation of allegations of mistreatment, please contact the CDE at (916) 319-0800. For a complete copy of your rights, please visit: www.cde.ca.gov/sp/se/qa/pssummary.asp.

BP 1312.3: Uniform Complaint Procedures

The Governing Board recognizes that the purpose of this policy is to establish a uniform system of complaint processing that will effectively and expediently address state and federal laws and regulations governing the programs, services, and activities of the district as a public entity and address concerns and issues presented by employees of San Bernardino City Unified School District and its students, parents/guardians and the community regarding the operation and delivery of programs, services and activities.

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations. The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and non-compliance with laws related to pupil fees for participation in an educational activity and LCAP and seek to resolve those complaints in accordance with the procedures set out in 5 CCR 4600-4687 and

in accordance with the uniform complaint policies and procedures of the SBCUSD Board.

The District will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in California Education Code 200 and 220 and Government Code section 11135, including any actual or perceived characteristics including, but not limited to, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, nationality, national origin, immigration status, religion, color, mental or physical disability, marital status or age, as set forth in Penal Code section 422.55, or a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the district, which is funded directly by, or that receives or benefits from any state financial assistance. The uniform complaint procedures will be used when addressing complaints alleging noncompliance with laws relating to pupil fees, such as requiring students to pay fees, deposits or other charges for participation in educational activities, and failure to comply with the requirements for the development and adoption of a school safety plan.

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Federal Consolidated Categorical Aid Programs, State Consolidated Categorical Aid Programs, and Special Education Programs. The list of all Federal and state programs within the scope of the UCP include Accommodations for Pregnant and Parenting Pupils, Every Student Succeeds Act, Adult Education, After School Education and Safety, Agricultural Career Technical Education, Career/Technical Education and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Compensatory Education, Consolidated Categorical Aid, Immigration Status, Local Control and Accountability Plans, Migrant Education, Regional Occupational Centers and Programs, State Preschool, School Safety Plans, School Site Councils, Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, and pupils formerly Juvenile Court now enrolled in a school district, Course periods without Educational Content, Physical Education Instructional Minutes - Pupil Fees, Reasonable Accommodations to a Lactating pupil, School Plans for Student Achievement, State Preschool

Health and Safety Issues in District Exempt from Licensing and any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

Complaints covered by the collective bargaining agreement shall not be covered by the Uniform Complaint Procedures.

Moreover, in order to expedite and reconcile the various legal obligations in operating a school district, complaints relative to Title VI and VII of the Civil Rights Act of 1964 as amended, the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, Fair Employment and Housing Act, Family and Medical Leave Act, California Family Rights Act, Title IX, Section 504 of the Rehabilitation Act of 1974, Genetic Information Nondiscrimination Act of 2008 and other applicable statutes will be referred to the District's Affirmative Action Office.

Williams Settlement complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students, and teacher vacancy or misassignment will be processed in accordance with the Williams Uniform Complaint Procedures, AR 1312.4.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. Complainants are encouraged to exhaust all attempts to resolve his/her concerns informally at the lowest level possible (i.e., with the employee in question, site administrator, program administrator, etc.). The complaint, under the jurisdiction of the Uniform Complaint Procedures, must be filed in writing in a timely manner and no later than six months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

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

The Board acknowledges and respects every individual's right to privacy. Discrimination, harassment, intimidation or bullying complaints based on actual

or perceived characteristics, as specified in this policy and set forth in Section 422.55 of the Penal Code and Section 220, shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate.

If the district's public school finds merit in a Pupil Fees, LCAPs, Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district, Reasonable Accommodations to a Lactating Pupil, Course Periods without Educational Content (grades nine through twelve), and Physical Education Instructional Minutes (grades one through eight) complaint, the district's public school shall provide a remedy to all affected pupils, parents, and guardians that where applicable includes reasonable efforts by the district's public school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board. In the case of complaints regarding: Course Periods without Educational content, Reasonable Accommodations to a Lactating Pupil, and Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district, the remedy shall go to the affected pupil. In the case of complaints regarding: Pupil Fees, Physical Education Instructional Minutes and LCAP, the remedy shall go to all affected pupils and parents/guardians. The District shall attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

Complainants are protected from retaliation and the identity of a complainant alleging discrimination, harassment, intimidation or bullying remain confidential as appropriate.

The Affirmative Action office is responsible for receiving complaints, investigating complaints and ensuring the district's compliance, and shall be knowledgeable about the laws and programs that they are assigned to investigate. The Affirmative Action Officer or designee is the responsible local educational agency officer for ensuring San Bernardino City Unified School District's compliance with the requirements of Chapter 5.3 (commencing with Section 4900 of Division 1 of Title 5 of the California Code of Regulations) and Chapter 2 (commencing with Section 200). Pupil fee and/or LCAP complaints may be filed anonymously, that

is, without an identifying signature, if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees and/or LCAP. The Pupil fee complaint may be filed with the Principal of a School, no later than one year from the date the alleged violation occurred. All UCP complaints shall be filed not later than one year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by the District.

State preschool health and safety issues pursuant to Section 1596.7925 of the California Health and Safety Code (HSC) a notice shall be posted in each California state preschool program classroom in each school in the local educational agency notifying parents, guardian, pupils, and teachers of both of the following: The health and safety requirements under Title 5 of the California Code of Regulations apply to California state preschool programs pursuant to HSC Section 1596.7925. The location at which to obtain a form to file a complaint. Posting a notice downloadable from the California Department of Education (CDE) website shall satisfy.

UCP complaints regarding state preschool health and safety issues pursuant to HSC Section 1596.7925 shall include the following statements: File with preschool program administrator or his or her designee. A state preschool health and safety issues complaint pursuant to HSC Section 1596.7925 about problems beyond the authority of the preschool program administrator shall be forwarded in a timely manner, but not exceed 10 working days to the appropriate local educational agency official for resolution. A state preschool health and safety issues complaint pursuant to HSC Section 1596.7925 may be filed anonymously. A complainant who identifies himself or herself is entitled to a response if he or she indicates that a response is requested. A complainant form shall include a space to mark to indicate whether a response is requested. If Section 48985 of the EC is otherwise applicable, the response, if requested, and District Investigation Report shall be written in English and the primary language in which the complaint was filed. A complaint form for a state preschool health and safety issue pursuant to HSC Section 1596.7925 shall specify the location for filing

a complaint. A complainant may add as much text to explain the complainant as he or she wishes.

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

The complaint will be investigated and a written report issued to the complainant within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time. The complainant and/or representatives will be provided an opportunity to present evidence or information. The refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations. Refusal by the respondent, against whom the allegations are made, to provide the investigator with access to records and/or other information related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The District Investigation Report will contain the following elements: the findings of facts based on the evidence gathered; a conclusion that provides a clear determination for each allegation as to whether the District is in compliance with the relevant law; corrective actions if the District finds merit in a complaint: pertaining to complaints of Pupil Fees; LCAP; Physical Education Instructional Minutes, or Course Periods without Educational Content, the remedy shall go to all affected pupils, parents, and guardians; for all other complaints within the scope of the Uniform Complaint Procedures, the remedy shall go to the

affected pupil; with respect to a pupil fees complaint, corrective actions shall include a remedy where in good faith, by engaging in reasonable efforts, an attempt to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint; notice of the complainant's right to appeal the district's decision to California Department of Education (CDE), the complainant's may appeal a district's decision of a UCP complaint regarding all specified federal and state educational programs subject to the UCP; the complainants may appeal a district's decision and the procedures to be followed for initiating an appeal to CDE.

The District will have the Uniform Complaint Procedures and the rights and responsibilities of the complainant and the responsibilities of the district, including the notification requirements, detailed in the administrative regulation, AR 1312.3, The notice includes the following: A statement ensuring annual dissemination of a written notice of the district's complaint procedures to employees, students, parents and/or guardians, advisory committees, member, appropriate private school officials or representatives, and other interested party that includes information regarding unlawful pupil fees and LCAP requirements which shall be in English, and when necessary, in the primary language, pursuant to Section 38985 of the Education Code. The Annual Notice shall include the following information: the district is primarily responsible for compliance with federal and state laws and regulations; a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity; the district shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, and former juvenile court pupils now enrolled in a school district as specified in EC Sections 48853, 48853.5, 49069.5, 51225.1 and 51225.2; the Affirmative Action Office is designated to receive complaints; the complainant has a right to appeal the district's decision to the California Department of Education by filing a written appeal within 30 days of the date of the District Investigation Report. In order to request an appeal, the complainant must specify and explain the basis for the appeal, including at least one of the following: The District failed to follow its complaint procedures, and/or the District Investigation Report lacks material findings of fact necessary to reach a conclusion of law, and/or the material findings of fact in the District Investigation Report are not supported by substantial evidence,

and/or the legal conclusion in the District Investigation Report is inconsistent with the law, and/or in a case in which the District found noncompliance, the corrective actions fail to provide a proper remedy. The appeal shall be sent with a copy of the locally filed complaint and a copy of the District Investigation Report; civil law remedies that may be available to the complainant under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and the appeal pursuant to Education Code Section 262.3; and a statement that copies of the district's complaint procedures shall be available free of charge.

An appeal regarding State Preschool Health and Safety Issues in district's Exempt from Licensing: a complainant not satisfied with the resolution of the preschool program administrator or the designee of the district superintendent has the right to describe the complaint to the governing board of the local educational agency at a regularly scheduled hearing of the governing board or body, as applicable, of the district. A complainant who is not satisfied with the resolution proffered by the preschool program administrator or the designee of the district superintendent has the right to file an appeal to the State Superintendent of Public Instruction (SSPI) within 30 days of the date of the district Investigation Report. A complainant shall comply with the appeal requirements of 5CCR Section 4632. The SSPI or his or her designee shall comply with the requirements of 5 CCR Section 4633 and shall provide a written District Investigation Report to the State Board of Education describing the basis for the complaint, the District's response to the state preschool health and safety issues pursuant to HSC Section 1596.7925 complaint and its remedy or proposed remedy and, as appropriate, a proposed remedy for the issue described in the complaint, if different from the District's remedy. The District shall report summarized data on the nature and resolution of all state preschool health and safety issues complaints pursuant to HSC Section 1596.7925 on a quarterly basis to applicable, of the District. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the District's governing board. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. All complaints and responses are public records.

The Board Education designates the following compliance officer(s) to receive and investigate complaints and to ensure district compliance with law:

Affirmative Action; Title IX; Uniform Complaints:

Mike Medina, Affirmative Action Officer /
Title IX Coordinator / Uniform Complaint Officer
777 North F Street, San Bernardino CA 92410
(909) 381-1122, mike.medina@sbcusd.com

Special Education:

Lisa M. Noé, 504 / Special Education Coordinator
4777 N. State Street, San Bernardino, CA 92407
(909) 887-2072, lisa.noe@sbcusd.k12.ca.us

Email both:

affirmativeaction-all@sbcusd.k12.ca.us

The UCP Annual Notice is available on our website. The District will have the Uniform Complaint Procedures and the rights and responsibilities of the complainant and the responsibilities of San Bernardino City Unified School District, including the notification requirements, detailed in the AR 1312.3 ensuring annual dissemination of a written notice of the District's complaint procedures to students, employees, parents, or guardians of its complainants have the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. The Affirmative Action Office will maintain documentation of complaints and their resolution for a minimum of four years. [BP 1312.3 July 2023; EC 18100-18203, 200-262.4, 32280-32289.5, 35186, 46015, 48645.7, 48853-48853.5, 48985, 49010-49013, 49060-49079, 49069.5, 49490-49590, 49701, 51210, 51222, 51223, 51225.1-51225.2, 51226-51226.1, 51228.1-51228.3, 52059.5, 52060-52077, 52075, 52300-52462, 52500-52617, 54400-54425, 54440-54445, 54460-54529, 59000-59300, 64000-64001, 65000-65001, 8200-8488, 8500-8538; GC 11135, 12900-12996, HSC 1596.792, 1596.7925; PC 422.55, 422.6; 2 CCR 11023; 5 CCR 15580-15584, 3200-3205, 4600-4670, 4600-4687, 4690-4694, 4900-4965; FERPA; § 504; Title VI; Title VII; Title IX; 20 USC 1221, 1681-1688, 6301-6576, 6801-7014; 42 USC 11431-11435, 12101-12213, 6101-6107; 28 CFR 35.107; 34 CFR 100.3, 104.7, 106.1-106.82, 106.3, 106.44, 106.45, 106.8, 110.25]

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

Parents should use the District Uniform Complaint Procedure with modifications as included, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or

urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 35186]

Williams Settlement complaint procedure

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

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint.
4. If the District is required to provide material in a

foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.

5. The form will have a box to request a response and indicate where to file the form.
6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of filing a complaint, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same timeframe.
8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

APPENDIX A – UC/CSU QUALIFIED CAREER TECHNICAL COURSES

CTEBusiness English 3 (b)	Digital Music Production (f)	Cyber Tech 1 & 2 (g)
Eng2 Building Executive Functioning Skills (b)	Studio Art 3 (f)	Digital Communications 1 (g)
English 3:Life Skills thru Literature(b)	Film IB HL2 (f)	Advanced Cyber Security 1 (g)
Intro To Engineering (d)	Marching/Colorguard 1 & 2 (f)	Web Design & Development. (g)
Principles of Engineering. (d)	Music Production & Recording 1 & 2 (f)	Medical Pathways (g)
Digital Electronics (d)	Intro to Vocals (f)	Medical Assisting-Back Office (g)
Computer Integrated Manufacturing. (d)	Intermediate Vocal Music (f)	Intro to Health Careers (g)
Principles of BioMed (d)	Advanced Vocal Music. (f)	Medical Terminology (g)
Human Body Systems (d)	Dance1 & 2 & 3 (f)	Medical Assisting Front Office (g)
Medical Interventions (d)	Theatre IBSL (f)	Advanced Sports Medicine 1 (g)
Medical Innovations (d)	Technical Theatre. (f)	Pharmacy Health 1 (g)
Intro Sports Medicine (d)	Theatre IBHL. (f)	Certified Nursing Assistant (g)
Intro Sports Medicine CLAP (d)	Advanced Dental Health Patient Care (g)	Sports Psychology (g)
Power Connections for Environment (d)	Psychology (g)	Dental Health Patient Care (g)
Film Appreciation. (f)	Law/Justice 2 (g)	Bakery. (g)
Animation 1 & 2 (f)	Adv Legal Practices 3 (g)	Catering (g)
Digitech 1 & 2 & 3 (f)	Psychology IBSL (g)	Food Sanitation & Safety. (g)
IB Film SL (f)	Sustainable Urban Agriculture (g)	Business Internship 1. (g)
Film IB HL 1 & 2 (f)	Environmental Horticulture (g)	Health Careers Internship (g)
Intro to Theater (f)	Agriculture Business Economics. (g)	Family & Human Services Internships. (g)
Directing Theater (f)	Green Urban Design Tech (g)	Hospitality Tourism & Recreation (g)
Baking/Service Management (f)	Technical Calculations (g)	Social Emotional Learning: The Heart of Education (g)
MOUS Powerpoint. (f)	Building Trades & Construction 1 & 2 & 3. (g)	Mental Health & Wellness (g)
Adobe Prep 1 (f)	Multi-Craft Core (g)	MOUS Word (g)
Adobe Prep 2 (f)	Business Communications 1 (g)	MOUS Excel (g)
Adobe Prep 3 (f)	Intro to Business (g)	Office Occupations 2 (g)
Performance Careers. (f)	Virtual Enterprise. (g)	Microsoft Office Specialist 1 (g)
Performance Portfolio (f)	Supply Chain & Logistics (g)	Silk Screening 1 (g)
Arts for Entertainment 1 (f)	Global Logistics (g)	Intro Computer Information Systems (g)
Art for Animation 1 (f)	Intro to Marketing Advertising Graphic Design (g)	Intro to Public Safety Careers (g)
Animation Film 1 (f)	Business Mgmt & Enterprise. (g)	Public Safety 1 & 2 & 3 (g)
Film & Broadcasting 1 & 2. (f)	Media Marketing & Advertising . (g)	Auto Technology 1 & 2 & 3 (g)
Contemporary Media 1. (f)	Entrepreneurship 2 (g)	Studio Art 2 (g)
Digital Photo 1 & 2. (f)	Banking & Financial Services. (g)	Student Government. (g)
Advanced Media Broadcast 1 (f)	Child Development 1 (g)	PE2: Athletic Training. (g)
Advanced Broadcasting & Digital Media 1 & 2. (f)	Childcare 1 & 2. (g)	Dance 4. (g)
Film/Video 1A P (f)	Senior Seminar in Human Services (g)	Heavy Medium Duty Truck 1 & 2 (g)
Studio Art 1 (f)	Applied Cyber Technology. (g)	Intro to Machining. (g)
Art for Visual Communications. (f)	Applied Technology (g)	Advanced Machining 1 & 2 (g)
AP Art Studio 1. (f)	Cyber Security (g)	First Responder (g)
AP 2D Art/Design (f)	Computer Networking. (g)	Arts Media Entertainment/Digital Media Arts Internship. (g)
Art for Production (f)		Business Consumer Math (g)

DIRECTORY OF SCHOOLS

Elementary Schools

Ramona-Alessandro	909.388.6300	Highland-Pacific	909.388.6518	North Park	909.881.8202
Anton	909.386.2000	Hillside	909.881.8264	North Verdemont.	909.880.6730
Arrowhead	909.881.8100	Holcomb	909.887.2505	Norton	909.888.6369
Barton	909.388.6534	Hunt	909.881.8178	Bonnie Oehl	909.388.6532
Belvedere	909.862.7111	Inghram	909.880.6633	Palm Avenue	909.880.6754
Bradley	909.388.6317	Jones	909.386.2020	Parkside	909.881.8209
Brown	909.881.5010	Kendall	909.880.6626	Riley College Prep Academy	909.388.6460
Cole	909.388.6510	Kimbark	909.880.6641	Rio Vista	909.388.6450
Cypress	909.388.6514	Lankershim	909.862.4213	Roosevelt	909.388.6470
Davidson	909.881.8153	Lincoln	909.388.6370	Manuel A Salinas	909.880.6600
Del Rosa	909.881.8160	Lytle Creek	909.388.6382	Thompson	909.388.6512
Dominguez	909.888.8020	Marshall	909.881.8185	Urbita	909.388.6488
Emmertson	909.388.6522	Monterey	909.388.6391	Vermont	909.880.6658
Fairfax	909.381.1283	Mt Vernon	909.388.6400	Warm Springs	909.388.6500
Gomez	909.383.8159	Muscoy	909.880.6649	Wilson	909.881.8253
Harmon	909.880.6616	E Neal Roberts	909.388.6409	Bing Wong	909.888.1500
Henry	909.888.2353	Newmark	909.881.8192		

Middle Schools

Arrowview	909.881.8109	Golden Valley	909.881.8168	Rodriguez PREP	909.884.6030
Chavez	909.386.2050	King	909.388.6350	Serrano	909.388.6530
Curtis	909.388.6332	Paakuma' K-8	909.355.3137	Shandin Hills	909.880.6666
Del Vallejo	909.881.8280	Richardson PREP HI	909.388.6438		

High Schools

Anderson	909.388.6311	Middle College	909.824.3218	San Bernardino	909.881.8217
Arroyo Valley	909.381.4295	Pacific	909.388.6419	San Gorgonio	909.388.6524
Cajon	909.881.8120	San Andreas	909.388.6521	Sierra	909.388.6478
Indian Springs	909.383.1360				

Other Schools

Inland Career Education Center	909.388.6000	Alternative Learning Center	909.388.6223	Virtual Academy	909.888.0763
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Child / Infant Development

Allred Child Development Center	909.388.6307	Indian Springs Child Development Center	909.388.1490
Allred Infant/Toddler Center	909.386.2508	San Andreas Child Development Center .	909.386.6537
Arroyo Valley Infant/Toddler Center	909.386.2567	San Andreas Child Infant/Toddler Center	909.386.2509
Cajon Infant/Toddler Center	909.475.2402	SB Infant/Toddler Center	909.475.2403

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

2023–2024 Traditional School Calendar | Calendario Escolar Tradicional 2023–2024

July Julio 2023						
SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25 PD	26 PD	27 T	28 T	29
30	31					

August Agosto 2023						
SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10 E	11	12
13	14	15	16	17 H	18	19
20	21	22	23	24 M	25	26
27	28	29	30	31		

September Septiembre 2023						
SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

October Octubre 2023						
SUN	MON	TUE	WED	THU	FRI	SAT
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22	23	24	25	26 C	27 C	28
29	30 C	31 C				

November Noviembre 2023						
SUN	MON	TUE	WED	THU	FRI	SAT
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19	20	21	22	23	24	25
26	27	28	29	30		

December Diciembre 2023						
SUN	MON	TUE	WED	THU	FRI	SAT
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17	18	19	20	21	22	23
24 31	25	26	27	28	29	30

January Enero 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February Febrero 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
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11	12	13	14	15	16	17
18	19	20	21	22 C	23 C	24
25	26 C	27 C	28 C	29 C		

March Marzo 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
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17	18	19	20	21	22	23
24 31	25	26	27	28	29	30

April Abril 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
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28	29	30				

May Mayo 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
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June Junio 2024						
SUN	MON	TUE	WED	THU	FRI	SAT
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23 30	24	25	26	27	28	29

Traditional Tradicional	Holiday Día Feriado	E	Back to School Night (Elementary) Noche Informativa de Regreso de Clases (Primarias)	Minimum Day (all students) Día Mínimo (todos los estudiantes)
Vacation (no students) Vacaciones (no hay clases)		M	Back to School Night (Middle School) Noche Informativa de Regreso de Clases (Secundarias)	Full Day (Elementary and Middle Schools) Final Exams (High Schools Only minimum days)
T	Teacher Workday (no students) Solo Maestros Trabajan (hay no clases)	H	Back to School Night (High School) Noche Informativa de Regreso de Clases (Preparatorias)	Día Completo (Escuelas Primarias y Secundarias) Exámenes Finales (días mínimos para Preparatorias)
Te	Teacher Workday Elementary (no students) Solo Maestros Trabajan en Primarias (hay no clases)	H	Open House (Alternative Schools) Casa Abierta (Escuelas Alternativas)	Minimum Days (All Students) High School Finals
Ts	Teacher Workday Secondary (no students) Solo Maestros Trabajan en Secundarias (hay no clases)	Ts	Parent/Teacher Conferences (Primarias) Full Day for all other students	Días Mínimos (todos los estudiantes) Exámenes Finales (Preparatorias)
PD	Professional Development Day (no students) Día de Capacitación Profesional (hay no clases)		Conferencias entre Padres/Maestros (Primarias) Día completo para todos los demás estudiantes	

7/4/2023. Independence Day (observed) Día de Independencia (observado)	1/15/2024 Dr. Martin Luther King Jr. Day Día del Dr. Martin Luther King Jr.
7/31/2023 First Day of School (minimum day) Primer Día de Clases (día mínimo)	2/12/2024 Lincoln's Birthday (observed) Cumpleaños de Lincoln (observado)
9/4/2023. Labor Day Día de los Trabajadores	2/19/2024 Washington's Birthday (observed) Cumpleaños de Washington (observado)
11/1/2023 Veterans Day (observed) Día de los Veteranos (observado)	3/18–3/29/2024 Spring Break Receso Primavera
11/20–24/2023. Thanksgiving Recess Receso del Día de Acción de Gracias	5/27/2024 Memorial Day Día de Conmemoración de los Caídos
11/24/2023 Admission's Day (observed) Día de Admisión (observado)	5/30/2024 Last Day of School (Graduation) Último Día de Clases (Graduación)
12/18–1/5/2024 Winter Recess Receso Invernal	6/17/2024 Juneteenth National Freedom Day (observed) Diecinueve de Junio Día Nacional de la Libertad (observado)