

Parent/Student Handbook



2024 – 2025

2024-2025 Student Calendar

July 2024

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

August 2024

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

September 2024

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

October 2024

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

November 2024

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

December 2024

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

January 2025

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

February 2025

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

March 2025

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

April 2025

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

May 2025

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








June 2025

Su	M	Tu	W	Th	F	Sa
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Important Dates for Students

8 August	First day of regular school year
30 September to 4 October	Fall recess
12-15 November	Elementary schools out 2 hours early
27-29 November	Thanksgiving recess
17-19 December	Secondary schools out 2 hours early
20 December	All schools out 2 hours early
23 December to 3 January	New Year recess
17-21 February	Winter recess
13-14 March	Elementary schools out 2 hours early
7-11 April	Spring recess
27-29 May	Secondary schools out 2 hours early
28-29 May	High school graduation ceremonies
30 May	All schools out 2 hours early
30 May	Last day of regular school year
2-27 June	Optional extended school year window

Key to Calendar Notations

	= Regular student day for all schools
	= Shortened student day for elementary schools
	= Shortened student day for secondary schools
	= Shortened student day for all schools
	= Non-student day during regular school year
	= No student activities at all schools due to holiday
	= Optional extended school year for some students



San José
Unified
School District

The San José Unified Parent/Student Handbook is a resource for our families, students, staff, and community. We ask parents and guardians to review the handbook with their students and then sign the acknowledgment online using the unique link for each student shared at the beginning of the school year.

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OUR MISSION

Uniting as one community,
we elevate opportunities
for all.

OUR VISION

Preparing today's students
to be the thinkers, leaders,
and creators of tomorrow.

Learn more:

www.sjUSD.org

CONNECT WITH US



855 Lenzen Ave.
San José, CA 95126



(408) 535-6000



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San José
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BOARD OF EDUCATION

Wendi Mahaney-Gurahoo, Trustee Area 5 – 2024 Board President

Teresa Castellanos, Trustee Area 1 – 2024 Board Vice President

José Magaña, Trustee Area 2

Carla Collins, Trustee Area 3

Brian Wheatley, Trustee Area 4

Lara Harb, Leland High – Student Board Member

Gabriel Ruiz-Flores, San José High – Alternate Student Board Member

The Board of Education holds at least one meeting per month, except for the month of July. The regular session begins at 6:00 pm in the Board Room at the District Office.

Please visit go.sjUSD.org/board for a complete calendar of meetings and more information on board policies.

SUPERINTENDENT'S COUNCIL

Nancy Albarrán, Superintendent of Schools

Jodi Lax, Associate Superintendent, Instruction

Seth Reddy, Chief Business Officer

J. Dominic Bejarano, Assistant Superintendent, Administrative Services



Dear San José Unified Students and Families,

Welcome to the 2024-2025 academic school year. We are excited to welcome our new and returning students to a new school year. We look forward to working with our students, families, teachers, and employees as we continue to prepare our students to be the thinkers, leaders, and creators of tomorrow.

This Parent/Student Handbook contains important information about San José Unified's policies and procedures that we use to provide our students with the opportunity to engage in learning experiences in a safe environment. We encourage you to use this Handbook as a guide and resource throughout the school year. Your understanding and support of our guidelines and expectations is instrumental in forming a community where our students thrive.

We also invite you to visit our website, www.sjusd.org, on a regular basis for the latest information, events, and updates on the district, our schools, our staff, and our community. In addition, our school websites provide information that is specific to the school, including events, contact information, and organizations that support the school community.

Public school districts are required to provide details to the state and community on how they plan to improve education to students and spend taxpayer dollars. One of the primary documents that provides information about our plan is called the Local Control Accountability Plan (LCAP). The LCAP can be overwhelming to review and understand, and we invite you to ask questions about our plan through your school or online at www.sjusd.org/contact-us/.

We communicate with our community in different ways, including email, phone, text, social media, our website, and sometimes through paper. We encourage you to keep your contact information up to date so you do not miss important information. You can find instructions on updating your phone, email address, or physical address on our website at www.sjusd.org/your-resources/parent-resources/.

We offer many opportunities for you to get involved with your school or at the district level, and we rely on our diverse community to help us ensure we are providing the best possible educational experiences for all our students. Visit our website or contact your school for more information on how you can volunteer and make a difference for our students.

On behalf of the Trustees of the Board of Education and all our employees, we wish you a wonderful school year.

Warmest regards,

Nancy Albarrán
Superintendent of Schools

Wendi Mahaney-Gurahoo
President, Board of Education

GRADUATION REQUIREMENTS / STANDARDS OF PROFICIENCY AND CALIFORNIA PUBLIC COLLEGE ENTRANCE REQUIREMENTS

San José Unified's graduation requirements align with the A-G requirements of the California State University (CSU) and the University of California (UC) schools.

* Any course that prepares students to take college-level courses is considered a college preparatory course.

Area	Subject	SJUSD Requirement	CSU Requirement	UC Requirement
a.	Social Science U.S. History U.S. Government Economics World History	3 years 1 year 1 semester 1 semester 1 year 30 credits	2 years 1 year social science PLUS 1 year U.S. History OR 1 semester U.S. History, 1 semester Civics or American Government	2 years 1 year World History, Cultures or Geography PLUS 1 year U.S. History OR 1 semester U.S. History, 1 semester Civics or American Government
b.	English	4 years 40 credits	4 years college prep English composition and literature	4 years college prep English composition and literature
c.	Math Algebra I College prep	3 years 1 year 2 years* 30 credits	3 years Algebra I, Algebra II, Geometry 4 years recommended	3 years Algebra I, Algebra II, Geometry 4 years recommended
d.	Science Biological science Physical science College prep	3 years 1 year 1 year 1 year 30 credits	2 years college prep with laboratory 3 years recommended	2 years college prep science At least 2 of these: Biology, Chemistry, Physics 3 years recommended
e.	Language other than English same language	2 years 20 credits	2 years same language	2 years same language 3 years recommended
f.	Visual and Performing Arts	2 years 20 credits	1 year from same discipline of arts, dance, drama/theater, music	1 year from same discipline of dance, music, theater, visual arts
g.	Electives	3 years 30 credits	1 year college prep elective on approved a-g course list	1 year college prep elective on approved a-g course list
	Physical Education	2 years 20 credits		
	Total	220 Credits		

Community Service –10 hours of community service for each year of enrollment in a San José Unified high school (maximum 40 hours)

An alternative graduation path may be available through a school counselor for students unable to meet the standard graduation path requirements. Please refer to Board Policies 6146.1 and 6146.11 (adopted September 20, 2001, revised May 11, 2023).

Partial Credit

Foster youth, students experiencing homelessness, former juvenile court school students, children of military families, migrant students, and students participating in a newcomer program are eligible for partial credits from their previous school if they transfer during a grading period.



STUDENT RIGHTS AND RESPONSIBILITIES

Student Rights

As individuals in a free society, students are people who have basic rights and responsibilities under our Constitution. These individual rights and responsibilities must be balanced with our need to provide a safe environment for all who come within our educational system and schools that are conducive to learning so we can prepare our students with the necessary skills to be competitive in our society.

San José Unified, our schools, and our principals must consistently define the necessary procedures, rules, and regulations to implement this balance and the district's overall mission. While it is impossible to list all the individual rights and responsibilities in a diverse and complex system, our students have a right to a free public education regardless of immigration status or religious beliefs and have the responsibility to respect the rights of all people involved in the educational process. Our ability to exercise our individual rights depends upon our ability and success in protecting the rights of others in our academic community.

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 or the immigration status of the student's parents or guardians.
- In California, all children have the right to a free public education.
- All children age 6 to 18 years must be enrolled in school.
- All students and staff have the right to attend safe, secure, and peaceful schools.
- All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
- All students have equal opportunity to participate in any program or activity offered by the school and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

Smart Phones and Electronic Devices

Cellphones, tablets, laptops, smartwatches, and any other internet-connected devices are to be turned off in class, except when used for a school-related purpose, as determined by the teacher or other district employee, and at any other time as directed by an employee. Any device with a camera, video, or voice recording function may not be used in any manner that infringes on the privacy rights of any other person. Using any electronic device to record inappropriate behavior is prohibited and subject to possible disciplinary action, including but not limited to suspension and expulsion.

Please refer to California Ed Code 48901.7 and Board Policy 5131 (adopted September 20, 2001, and revised June 7, 2012).

Dress and Grooming

San José Unified believes that students and their parents or guardians are primarily responsible for their attire and grooming. Appropriate attire and grooming contribute to a productive learning environment. We expect our students to pay appropriate attention to personal cleanliness and wear clothes suitable for the school activities in which they participate.

School-directed changes to a student's attire or grooming should be the least restrictive and disruptive to the student's school day. Any school dress code enforcement actions should minimize the potential loss of educational time. The administration and enforcement of the dress code will be gender-neutral and consistent.

Schools may not enact policies with more restrictive or less restrictive dress and grooming codes except in cases where schools require uniforms.

Student attire and grooming must permit the student to participate in learning without posing a risk to the health or safety of any student or school district personnel.

- a. Students must wear clothing, including a shirt with pants or a skirt or the equivalent (for example, dresses, leggings, or shorts) and shoes.
- b. Hats and other head coverings are not permitted on school grounds except when worn as sun-protective clothing prescribed by the student's physician (see below) or as an expression of religious beliefs.
- c. Clothing must cover the chest, torso, and lower extremities.
- d. Clothing must cover undergarments.
- e. Clothing must not be see-through.
- f. Professional sports attire may not be worn except for special occasions determined by the principal.
- g. Clothing must be suitable for all scheduled classroom activities, including physical education (PE), science labs, shop classes, and other activities where unique hazards or specialized attire or safety gear is required.



STUDENT RIGHTS AND RESPONSIBILITIES

Attire or grooming depicting or advocating violence, criminal activity, gang-related activity (including professional sportswear and/or colors identified by the Santa Clara County Sheriff or San José Police Department as gang-affiliated), use of alcohol or drugs, pornography, or hate speech are prohibited.

A change of clothing is required for physical education classes. Students must wear shorts or sweats, tops, and gym shoes. PE teachers may judge the appropriateness of clothing to ensure student safety.

Students are allowed to wear sun-protective clothing and hats. Sun-protective hats may be worn for outdoor use only. Students are required to wear a sun-protective hat with a brim large enough to protect the face, back of the neck, and/or ears. A parent/guardian or doctor's authorization will be required for a student to wear a sun-protective hat, and the note must include the type and extent of the coverage required. A student who violates these standards will be subject to appropriate disciplinary action.

Please refer to Board Policy and Administrative Regulation 5132 (adopted September 20, 2001, and revised June 15, 2017).

Uniforms

To promote a positive school climate, the principal, employees, and parents/guardians may establish a reasonable policy requiring students to wear uniforms. The school safety plan may include such a policy and must be presented to the Governing Board for approval. The Board will approve the plan upon determining that it is necessary to protect the health and safety of the school's students. The superintendent or designee will ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

Uniform Opt-Out Policy

Parents/guardians may choose to have their children exempted from the school uniform policy. Students who opt out will not be penalized academically or otherwise discriminated against. Parents should contact their student's school to ask about their opt-out policy. Students who opt out of school uniforms must continue to follow San José Unified's Dress and Grooming policy described above.

Homework

Homework is an activity students can do independently and is defined as assigned learning activities done outside of the classroom. It has a clear purpose, supports enhanced learning, and allows students to practice previously taught skills and use acquired knowledge. Homework is assigned appropriately by grade level, subject area, and ability to meet students' needs. Class time will be used for the application of learning, with emphasis on student-teacher interaction.

The amount of time spent on homework will vary by grade and course, with no homework expected for students in TK. General expectations:

Grades	Daily Homework Maximum
Grades K - 1	10 minutes daily, plus 10 minutes of reading
Grade 2	20 minutes daily, plus 15 minutes of reading
Grades 3 - 5	30 minutes daily, plus 20 minutes of reading
Grades 6 - 8	1 ½ hours daily
Grades 9 - 12	2 hours per day (advanced courses may exceed this average)

No additional work, including extra credit, will be assigned over vacations and holidays beyond what is reasonable for a single-day assignment. Long-term projects may be due on the Friday of the first instructional week after returning from a break, not before. No homework may be assigned during the two weeks between instructional semesters, known as the New Year Recess.

Please refer to Board Policy and Administrative Regulation 6154 (adopted September 20, 2001, revised April 25, 2019) and Education Code 48913.5.

Advanced Placement and International Baccalaureate Examination Fees

San José Unified covers students' fees for all Advanced Placement and International Baccalaureate exams.



STUDENT RIGHTS AND RESPONSIBILITIES

Late Work

The school will set guidelines for accepting late work to encourage students' work completion and document student learning. The school will also develop a support system to ensure major assignments are completed in a timely manner. A penalty may apply when work is turned in after the due date.

Make-Up Work

Whenever a student misses an assignment or assessment due to an excused or unexcused absence, the student will be considered for full credit for subsequent satisfactory completion. A student has the right to make up work for an excused or warranted absence. Work must be completed within a reasonable time frame allotted by the individual teacher.

When a parent/guardian of a student suspended for two or more school days requests homework, assignments, or assessments that the student would otherwise have been assigned, the student's teacher will provide and grade such homework. If not graded before the end of the academic term, the homework, assignment, or assessment will not be included in the calculation of the student's overall grade in the class.

Please refer to Board Policy and Administrative Regulation 6154 (adopted September 20, 2001, revised April 25, 2019) and Education Code 48980 and 48913.5

Grading

San José Unified believes that grades serve a valuable instructional purpose by helping students, parents, and guardians understand performance expectations and identify the student's areas of strength and areas for improvement. Students have the right to receive grades that accurately evaluate their academic performance, support a growth mindset, and allow all students to succeed by counteracting institutional biases.

Grades should be based on the student's academic work quality and mastery of course content based on district standards. Students can demonstrate this mastery through various methods, such as tests, projects, portfolios, and/or class discussions. Attendance, effort, student conduct, work habits, and other elements that are not a direct measure of knowledge and understanding of course content will not be factored into the academic grade. The complete San José Unified Uniform Grading System is available online at www.sjUSD.org/learning.

Please refer to Board Policy and Administrative Regulation 5121 (adopted September 20, 2001, revised March 11, 2021).

Dropping Courses

A student who drops a course after the first four weeks of the semester will receive an F grade in the course unless otherwise decided by the principal or designee. Students who sign an Advanced Placement/Honors contract must remain in the course for the entire year.

Repeating Courses

Students receiving a failing grade may repeat the course for credit. Students earning a passing grade and repeating a course that is part of a sequential pattern of courses meeting graduation requirements receive credit in only one of the two courses. Both courses and grades earned are entered into the student's transcript and are calculated into the student's grade point average (GPA).

McKinney-Vento Homeless Assistance Program

The McKinney-Vento Homeless Assistance Program is designed to address the challenges that children and youth experiencing homelessness face in enrolling, attending, and succeeding in school. Students with housing insecurity have equal access to the same free, appropriate public education as other students. If you want to learn more about San José Unified's McKinney-Vento program and our services for families and students, please contact your school at mcv@sjUSD.org or 408-535-6464. Parents may share information through a housing questionnaire. For more information about homeless education, visit www.cde.ca.gov/sp/hs/ and 42 US Code Sections 11431-11435.

Work Permits

State law requires students ages 16-17, if not attending a comprehensive high school, to attend classes in an alternative/continuation high school or occupational program. If employed, these students must attend school at least four hours daily. Students ages 14-17 must obtain a work permit from their school before accepting employment. Work permits are limited to part-time employment, except when circumstances warrant full-time employment.



STUDENT RIGHTS AND RESPONSIBILITIES

Closed Campus

To protect the safety and security of our students, all San José Unified school campuses are closed for all students. Students may not leave the school grounds at any time during the school day without permission from their parent or guardian and the school office. Students must follow all school procedures regarding check-out before leaving. Food cannot be ordered and delivered to the school through a service such as DoorDash during school hours.

Please refer to Board Policy and Administrative Regulation 5112.5 (adopted September 20, 2001).

Student Records

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.

Collection and Maintenance of Records

Student records are any information gathered within or outside the district that is directly related to an identifiable student and maintained by the district, required to be maintained by an employee in performing the employee's duties or maintained by a party acting for the district. Any information maintained for second-party review is considered a student record. Student records include the student's health record.

A log will be maintained for each student's record, which lists all persons or organizations requesting or receiving information from that record. Requests to access the log should be directed to the school principal. A school district may permit access to student records by a specific person if the parent or education rights holder has filed written authorization specifying the records to be released and identifying the person to whom the records may be released. The recipient must be notified that further transmission of records is prohibited. The consent notice will be permanently kept with the student's record file. 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.

Requesting Transcripts

A current or former student may request a copy of their transcript by completing the form at go.sjUSD.org/transcripts. Current students or their parents/guardians can access an unofficial transcript through the Student Portal or Parent Portal. Official transcripts are \$5.00 per transcript, and payment is required to process the request.

Access to Records Without Consent

School personnel with legitimate educational interests, schools of intended enrollment, specified federal and state educational administrators, those with duties and responsibilities to the district, and those who provide financial aid are entitled to access student records without parental consent. A legitimate educational interest is one held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or due to special circumstances, require access to information contained in student records.

Access in response to a court order may also be obtained without parental consent. Student grades, diplomas, and transcripts may be withheld from students and parents when a student has damaged, destroyed, or not returned the district's loaned property and restitution has not been made. Records cannot be withheld from a requesting school. School staff 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.

Copies of student records can be provided at the cost of duplication.



STUDENT RIGHTS AND RESPONSIBILITIES

Release of Directory Information

San José Unified may release directory information categorized as information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes name, address, telephone number, place of birth, major field of study, participation record in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.

Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin, and the district will not release such information without parental consent or a court order.

Parents/guardians may request that the district not release their child's name, address, and telephone number to military recruiters, employers, or institutions of higher education without prior written consent as specified in 20 USC 7908.

No directory information of a student identified as a homeless child or youth as defined in 42 USC 11434a shall be released unless the parent/guardian, or the student if 18 years or older, has provided written consent that directory information may be released. For any other student, directory information shall not be released if the student's parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent as described in Education Code 49073 and 20 USC 1232g, 7908. Parents/guardians may request that the district not disclose directory information by submitting a request in writing to the school principal at any time during the school year.

This handbook serves as the annual notification to parents/guardians regarding the categories of directory information SJUSD may release and the recipients of the information. It also has information about the right to refuse to let the district designate any or all types of information as directory information. The form included in the handbook and the annual survey sent in August is used for parents/guardians to refuse release for the current school year.

Notification of Rights for Education Records

Under the Family Educational Rights and Privacy Act (FERPA), parents, legal guardians, or adult students have a right to review their child's or their own records. These rights include:

1. The right to inspect and review the student's educational records. Requests for access should be directed to the principal and must be granted within 5 days from the date of the request. Student records are available for review during regular school hours. In the case of separated or divorced parents, both parents have equal access to school records unless a current restraining order specifically prevents access to records. A restraining order preventing access to the student does not prevent access to records.
2. The right to request the amendment of the student's education records that the parent, guardian, or adult student believes are inaccurate, misleading, or violating the student's privacy rights under FERPA. Requests for amendments to the education record should be made in writing to the principal, clearly identify the part of the record they want changed and specify why it should be changed. If the school does not amend the record as requested, the school will notify the parent, guardian, or adult student of the decision and their right to a hearing regarding the request for an amendment. Information about the hearing procedures will be provided when the parent, guardian, or adult student is notified of their right to a hearing.
3. The right to provide written consent before the school discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by a school to comply with the requirements of FERPA. Complaints are received by: Student Privacy Policy Office, US Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

FERPA permits the disclosure of personally identifiable information from a student's education records without the consent of the parent, guardian, or eligible student if the disclosure meets certain conditions found in 99.31 of the FERPA regulations. Parents/guardians will receive written notice at the beginning of each school year to inform them of their options regarding the release of their child's information in the directory. For more information on FERPA, the disclosure of directory information and conditions information may be disclosed without parent, guardian, or adult student consent; please see [A Parent's Guide to the Family Educational Rights and Privacy Act](#). Please see the appendix for more information regarding the notification of release of directory information.

Please refer to Board Policy 5125 (adopted September 20, 2001, revised January 18, 2024), and Board Policy and Administrative Regulation 5125.1 (adopted September 20, 2001, revised January 18, 2024).



STUDENT RIGHTS AND RESPONSIBILITIES

California Longitudinal Pupil Achievement Data Systems (CALPADS)

Under state law, all school districts are required to report specific data on individual students to the California Department of Education (CDE) through the California Longitudinal Pupil Achievement Data System (CALPADS). This data is used by the state for reporting and accountability purposes and by school districts to obtain information about students who are transferring from another district. All data maintained by CALPADS follows federal and state privacy and confidentiality requirements.

Grade Level Adjustments – Elementary and Middle School

Students should progress through each grade within one school year by demonstrating growth in learning and meeting grade-level standards of expected student achievement. Teachers will identify students who should be retained or at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable.

Transitional kindergarten is the first year of a two-year kindergarten program. Students enrolled in transitional kindergarten will be automatically promoted to a kindergarten class the following school year.

Students will be identified for retention if they fail to meet minimum proficiency levels as indicated by grades, districtwide assessments, and progress on IEP goals when appropriate. When a student is recommended for retention or identified as being at-risk, the Superintendent or designee will offer an appropriate remedial instruction program to assist the student in meeting grade-level expectations.

Please refer to Board Policy and Administrative Regulation 5123 (policy adopted October 17, 2003 and regulation adopted September 20, 2001, revised December 15, 2022), and California Education Code 48000, 48070, and 48070.5.

Grade Level Adjustments – High School

Students who do not receive credit for high school courses will work with school counselors to determine a plan for credit recovery, which will keep them on track to graduate with their class.

Grade Level Appeals

Students who transfer into San José Unified from another school are placed into the appropriate grade level based on their birthdate. Rarely, a student may initially be placed in a grade level that is inappropriate for the student. Parents, guardians, and students may appeal the decision through their assigned school or the enrollment center.

Social Adjustment Placements

Social adjustment placements are voluntary placements that result from a request through school site administration or at the direct request of a parent or guardian. Student Services makes social adjustment placement decisions in collaboration with school staff and parents or guardians through the Student Success Team (SST) process.

Students Who Are Pregnant or Parenting

Schools must treat pregnancy as they treat other medical conditions. Health plans, medical benefits, and related services are to be provided to students who are pregnant in the same manner as services are provided to students with other temporary disabilities. Pregnant and parenting students have a right to participate in a regular or alternative education program that meets the needs of the student and/or the student's child.

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

Any alternative education program, activity, or course offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)



STUDENT RIGHTS AND RESPONSIBILITIES

If required for students with any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular education program or activity. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations to meet the needs of pregnant and parenting students and their children.

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses. A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

Parental Leave

A pregnant or parenting student shall be entitled to eight weeks of parental leave to protect the health of the student who gives or expects to give birth and the infant and to allow the pregnant or parenting student to care for and bond with the infant.

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

Accommodations

When necessary, the district shall provide accommodations for a pregnant or parenting student to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding.

Complaint

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, district noncompliance with the requirements of Education Code 46015, or district noncompliance with the requirement to provide reasonable accommodations for lactating students shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222, 46015; 5 CCR 4600-4670)

For additional information about the rights of students who are pregnant or parenting, please contact Legal Advocates for Children Youth (LACY) at 408-280-2424, or the U.S. Department of Education, Office for Civil Rights at 415-486-5555. *Please refer to Board Policy 5146 (adopted September 20, 2001, revised January 18, 2024).*

Animals at School

Animals can contribute to an instructional program by being an effective teaching aid to students and can assist individuals with disabilities in accessing district programs and activities. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures. San José Unified has developed rules and procedures to ensure that, when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected.

Therapy animals, emotional support animals, and comfort animals are not considered service animals under the Americans with Disabilities Act but may be permitted under Section 504 as reasonable accommodations for students.

The district assumes no liability for the safety of animals voluntarily brought to school. Animals, insects, and/or reptiles of any kind are not permitted on district property and/or facilities unless the owner, sponsor, or responsible parties have followed district policy and procedures.

Please refer to Administrative Regulations 6163.2 (adopted September 20, 2001, revised August 24, 2023).



STUDENT RIGHTS AND RESPONSIBILITIES

Instructional Use of Animals

Students have the right to refrain from the harmful or destructive use of animals in their classes. A student shall notify the teacher regarding this objection and work with the teacher to determine if there is an alternative avenue for obtaining the knowledge, information, or experience required by the course of study. The student shall not be discriminated against based upon the decision to exercise the right to refrain. The student's objection to participating in this educational project shall be substantiated by a note from the student's parent or guardian. *Ed. Code 32255.*

Athletic & Co-Curricular Eligibility

A student in grade 9 is eligible for athletic participation once placed in a San José Unified school, provided the student has met all California Interscholastic Federation (CIF) residential and scholastic eligibility requirements. If a student transfers to a San José Unified school, the student will not be eligible for athletic participation at the new school until and unless the Athletic Director at the student's new school submits an "Application for Residential Eligibility" to the CIF Central Coast Section office (CCS). Students must attend at least four periods of the school day to participate in athletic or co-curricular events on that day. For additional information, please contact the Athletic Director at the student's new school and refer to cifstate.org.

To maintain eligibility for co-curricular and athletic programs, students must maintain an overall grade point average (GPA) of at least a 2.0 in all coursework attempted and have passing grades in at least four classes in the grading period prior to the start of their participation and at the end of each grading period during their participation. Any student who changes or alters a grade on their athletic eligibility form will be suspended from participating in any sport for one full year from the date of the infraction. Incoming 9th graders are automatically eligible for the first six weeks of instruction. *Please refer to California Education Code 35160.5 and Board Policy 6145 (adopted September 20, 2001, revised August 24, 2023).*

Extracurricular Activities

To participate in extracurricular activities, students must maintain progress toward meeting the district's high school graduation requirements. An extracurricular activity meets any of the following characteristics:

- The program is supervised or financed by the district.
- Students participating in the program represent the district.
- Students exercise some degree of freedom in selecting, planning, or controlling the program.
- The program includes both preparation for and performance before an audience or spectators.
- Students are required to sign a participation contract and abide by the conditions of the contract.



PARENT RIGHTS AND INFORMATION

San José Unified believes that family engagement is essential to students' educational success and contributes to a positive school environment. We are committed to establishing a positive, collaborative relationship with every family. We also acknowledge that students' families aspire to learn how to actively engage in their children's education at home and school. For more information on engaging in your student's learning, please visit go.sjUSD.org/family.

Parent Involvement Policy

San José Unified recognizes parents and guardians as their students' first and most influential teachers. Employees and parents and guardians will work together to develop meaningful opportunities at all grade levels for parents and guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home. Please see the full Parent Involvement Policy in the Appendix for more information about participating in your children's education and available opportunities.

Please refer to Board Policy and Administrative Regulation 6020 (adopted March 25, 2010, revised March 1, 2018).

Enrollment and Family Resource Center

We are proud to offer an array of services to families in one centralized location. Our Enrollment and Family Resource Center is open Monday, Wednesday, Thursday, and Friday from 8:00 a.m. to 4:00 p.m. and Tuesday from 8:00 a.m. to 2:00 p.m. at 855 Lenzen Avenue, San José, CA 95126.

For information about enrollment, registration, transfers, and wait lists, please visit go.sjUSD.org/enroll or contact the Enrollment Center at 408-535-6412. To see our school boundaries, visit go.sjUSD.org/find.

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. However, information about citizenship/immigration status or providing a Social Security number is never required.

Instructional Materials

San José Unified provides Board-approved instructional materials for all TK-12 students. Teachers can request supplementary materials using the criteria for evaluating materials. The request should be approved by the school administrator, the Division of Instruction, and the Board of Education. If you have a concern regarding classroom materials, please follow this process:

1. The parent discusses the nature of concern with the teacher.
2. If the issue remains unresolved, the parent completes a Request for Reconsideration of Instructional Materials, available from your school, and submits it to the principal.
3. The principal arranges an interview with the appropriate employees and parents.

If your concern is not resolved at the school level, the principal will forward your request to the Division of Instruction for further action. The superintendent may appoint a committee consisting of certificated employees and community members to review the questioned materials and make recommendations to the superintendent and Board of Education for final resolution.

Classroom Materials

Schools have adequate resources to provide school supplies for all students. Schools should not ask for donations of school supplies. Anyone wishing to donate supplies should donate to the entire school, not a specific classroom, to ensure all students have access to the same supplies.

Family Seminars

San José Unified recognizes that families are critical to our students' lives. We offer capacity-building opportunities through classes and workshops that build on the knowledge base and experiences that families bring with them. These learning opportunities are interactive and linked to student learning. For more information, please visit go.sjUSD.org/family.

Parent-Teacher Conferences

For elementary students, parent-teacher conferences are held for all students during the fall. Spring conferences are held only for students whose parent or teacher expresses a need for a conference. The conference may cover instruction, homework, grading, and student progress information. Parents may request additional conferences at any time.



PARENT RIGHTS AND INFORMATION

A written progress report is sent to parents or guardians at the end of each grading period in San José Unified middle and high schools. Middle and high school teachers issuing the six- or twelve-week notification (progress reports) will have personal contacts/conferences with parents/guardians regarding the student's progress upon parent/guardian request. Notification to parents of students in danger of failing (receiving a grade mark of -, D, or F) is required no later than three weeks before the end of the semester. Middle and high school teachers use a report card comment on Progress Report 2 and 4 to notify parents a student is in danger of failing the course.

Interpretation services are available for conferences and should be requested through the school principal at least 72 hours in advance.

Visiting Our Schools

San José Unified welcomes parents and community members to visit our schools. Classroom visits must be pre-arranged with the principal, and parents and guardians are expected to adhere to all school rules and behave respectfully to all employees. Parents and guardians are not allowed to interact with children other than their own unless given explicit permission before the visit. We ask that visitors please park in designated areas when possible. All visitors must go to the school office to check in and get a visitor's pass. For safety reasons, state law requires schools to register all guests who enter school property. Unauthorized persons are prohibited from entering or remaining on school grounds. If court-issued restraining orders exist that limit a parent's access to visiting their child or receiving information about their child, the custodial parent must provide the school principal with a copy of such an order. Only persons listed in a student's record are permitted to pick up the student without specific parental permission.

The principal or designee may request that any individual causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Please refer to Board Policy and Administrative Regulation 1250 (adopted September 20, 2001 and revised November 16, 2023) and California Penal Code 626.7.

Right to Request Teacher Qualifications

Some San José Unified schools receive Title I federal funding through the Elementary and Secondary Education Act (ESEA). These schools are required by law to notify parents of their right to know the professional qualifications of their child's teacher(s) in core academic subjects, including the following:

1. The type of state credential or license that the teacher holds. Some teachers have credentials in a particular subject area, such as English or Mathematics. Others have a multiple-subject credential, which allows them to teach a variety of subjects, as they do in elementary school.
2. The education level and subject areas of the teacher's college degree(s). All teachers have a bachelor's, and many teachers have graduate degrees, such as master's or doctoral degrees.

Parents also have the right to request information about paraprofessional (instructional aide) qualifications at a Title I school. Many paraprofessionals have two years of college; others have passed a test that verifies their qualifications.

If you want to obtain this information, please contact our Human Resources Department at 408-535-6139.

Emergency Family Separation Plan

Parents/guardians may provide their child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for their child in the event that a parent is detained or deported. Parents/guardians may complete a Caregiver's Authorization Affidavit or a Petition for the Appointment of a Temporary Guardian, which authorizes a trusted adult to make educational and medical decisions for your child.



PARENT RIGHTS AND INFORMATION

How to Volunteer

We welcome volunteers who help our teachers and employees serve students. To register as a volunteer with San José Unified, please complete the following steps:

1. Review our volunteer policies at go.sjusd.org/VolunteerPolicies
2. Complete the online application at go.sjusd.org/volunteerapp
3. Provide required documentation to Human Resources
4. Get fingerprinted through San José Unified

Once the Department of Justice and FBI have cleared your fingerprints, you will receive an email confirmation that you have been cleared to volunteer. If you are a returning volunteer, you need to complete the online application and will receive an email with additional instructions on the next steps. All volunteers must be cleared through this process, including parents or guardians who want to volunteer as chaperones for field trips.

Student Success Teams (SST)

The district serves all students with a multi-tiered system of services to support students struggling to access core academics. When there are concerns regarding a student's academics and learning, a student can be referred to a Student Success Team (SST) by their family or school employees. Parents or guardians can initiate the process by contacting the school in writing or speaking with school staff and requesting an SST for their child.

The SST process aims to bring together a collection of professionals to determine the best approach to meeting a student's individual learning needs. The SST aims to provide quality intervention and support for the student to progress toward grade level standards. The SST meets every six weeks to review the student's data, select or adjust interventions, and determine appropriate next steps. The family plays a critical role in the SST process, consulting with the teacher during parent-teacher conferences and attending SST meetings when invited. The SST team remains in contact with the family throughout the process, developing a collaboration between home and school to maximize student growth. Please contact your school principal for more information.

School-Connected Organizations (SCOs)

Parents, guardians, or community members may wish to establish organizations for the purpose of supporting the educational and/or extracurricular programs of San José Unified and our schools. School Connected Organizations (SCO) are 501(c)(3) non-profit organizations and are separate entities from the school district. San José Unified supports these organizations and welcomes your interest and participation. More details can be found in our [School Connected Organization Handbook](#).

Please refer to Board Policy and Administrative Regulation 1230 (adopted September 20, 2001).

Parent Teacher Associations (PTA)/Parent Teacher Student Associations (PTSA)

Many schools in San José Unified have a PTA organization that supports the school through volunteer coordination, community events, school programs, fundraising, and parent education. PTA membership is open to all parents and guardians of students enrolled at the school. Middle and high schools can choose to form a PTA or PTSA. In the PTSA, students and parents may become members, vote, and hold elected office. Each school PTA or PTSA is a National and State PTA organization member. To see if your school has an active PTA, contact your school's office or visit your school's website.

Council of PTAs

The San José Unified Council of PTAs provides leadership training and a forum to allow local PTAs to work together on districtwide issues. It also provides a communication link with the 6th District PTA at the county level. Each PTA/PTSA in San José Unified is a member of the Council. The Council maintains a mailbox at the District Office, 855 Lenzen Avenue, San José, CA 95126, and may be reached via phone message at 408-535-6072, email at sjuptacouncil@gmail.com, or online at sjucouncilpta.org.

Schoolsite Council (SSC)

The California Legislature established Schoolsite Councils to provide all stakeholders affected by school operations with a role in decisions impacting those operations. The SSC comprises parents, guardians, or community members, teachers, and the principal. In high schools, students are also members. All members, except the principal, are elected by their peers. The SSC also reviews school programs to ensure they meet federal and state guidelines and reviews school data to help evaluate the effectiveness in raising student achievement. Please contact your school for more information about the SSC. Please refer to California Education Code 65000.



PARENT RIGHTS AND INFORMATION

School English Learners Advisory Committee (SELAC)

Each school with 21 or more students classified as English Learners will have an established English Learners Advisory Committee, which may be a subcommittee of the Schoolsite Council (SSC). Parents or guardians of English Learner students elect the parent members of the committee. The SELAC is responsible for advising the principal and staff on developing a detailed school plan for English Learners and submitting the plan to the Schoolsite Council. The SELAC is also responsible for reviewing and providing feedback on the site School Plan for Student Achievement (SPSA) regarding English Learners and for assisting in developing the school needs assessment, language census, and ways to make parents aware of the importance of regular school attendance. Please contact your school to learn more about the SELAC.

School Accountability Report Card (SARC)

Public schools in California must provide information about the school in an annual School Accountability Report Card (SARC). SARCs provide data about a school's student achievement, environment, resources, and demographics and are a way schools can report on their progress in achieving their goals. SARCs for the most recent school year are available for all San José Unified schools in English and Spanish. Contact your principal or the school website for more information about your school's SARC. Printed copies are available in your school's front office.

School Plan for Student Achievement (SPSA)

The SSC is responsible for developing and submitting a School Plan for Student Achievement (SPSA) to the Board of Education for approval. The SPSA outlines the school's instructional program, goals to improve student outcomes, and allocation of resources to support improvements in student achievement. Please refer to California Education Code 64001.

School-Sponsored Field Trips

School-sponsored trips can be an important component of a student's development. School-sponsored trips fall into two categories: instructional trips, which relate to the instructional program, and other trips for students. For instructional trips, student participation may or may not be voluntary, and individual students cannot be excluded from a trip because of insufficient funds. General funds may cover the cost of these trips or may be raised through donations or fundraising through approved organizations, entities, or individuals. If an event is canceled or a student cannot attend, donations to support school-sponsored trips remain the district's property. Whenever possible, schools are encouraged to use buses as the mode of transportation.

Other trips may include transporting students to be spectators at school contests or competitions and trips with clubs and/or student groups to museums, parks, and other locations after school and on weekends. Participation in other trips is voluntary, and costs are paid from sources other than general funds. Funds may come from donations and school-connected organizations, and participating group members are encouraged to raise funds through group endeavors.

Staff and students are encouraged to plan all trips so that students will miss no more than one day of instruction and the trip is within a 100-mile distance of the district. All trips more than 100 miles from the district or overnight require the prior approval of the Board. The superintendent or designee may approve other trips.

Principals will ensure that teachers develop plans to ensure the safety and security of students and their proper supervision by staff on all school-sponsored trips. Other school employees, parents, and guardians may participate in this supervision and be asked to attend preparatory training sessions and/or meetings. Students with special needs may require additional adult support, per the student's IEP.

The ratio of adults to students on school-sponsored trips must be at least 1 adult per 5 students for grades TK-2 and 1 adult per 10 students for grades 3-12, with a minimum of 2 adults required for continuous monitoring of students. Water-related trips require additional supervision.

Please refer to Board Policy and Administrative Regulation 6153 (adopted September 20, 2001, revised January 18, 2024).



PARENT RIGHTS AND INFORMATION

Financial Liability

While a student is accountable for willful acts of misconduct, parents and guardians are financially responsible for damage and injury caused by their child's misconduct. Whenever a student damages, defaces, or steals any district property, the parents or guardians of that student are liable for restitution. This same liability applies when the damage or loss was not intentional and resulted from other negative or inappropriate behavior on district property. The district is not responsible for students' personal belongings brought on campus or to a school activity that is lost, stolen, or damaged.

San José Unified will seek restitution for all losses or damage to district property brought about by any student through any appropriate means, including but not limited to the Cost Recovery Program. The parent or guardian of a student is liable to the district for all property belonging to the district loaned to the student and not returned upon demand of an authorized district employee.

Insurance and Student Injury

San José Unified provides blanket accident medical expense insurance for all students to help families access and pay for medical care resulting from a school-related injury and expand access to sports activities that may have a higher risk of injury. The benefits are paid on a secondary basis and apply to eligible costs not covered by the student's primary health insurance if the student has a primary health insurance plan. Claims must meet specific criteria to be eligible. To file a claim, please contact riskmanagement@sjusd.org.

San José Unified does not carry medical insurance for individual students. Parents are responsible for emergency medical costs beyond the first aid provided at the school. Individuals seeking health insurance may access plans through Covered California at www.coveredca.com.

Our insurance provider, Myers-Stevens and Toohey, also offers voluntary health plans for our students. For information on enrolling in a private insurance plan, please call 800-827-4695.

If emergency medical or dental treatment is needed, and the parent/guardian or listed emergency contacts cannot be reached, staff will call 911. The school district is not responsible for charges incurred due to 911 calls or ambulance trips if these trips are not covered by the blanket accident medical expense insurance.

Safe Storage of Firearms

San José Unified takes the safety of our community extremely seriously. Any student found in possession of a firearm on campus is subject to immediate arrest, suspension, and expulsion proceedings. Parents and guardians are responsible for keeping firearms out of the hands of children as required by the City of San José and the State of California. The established laws require firearms to be stored in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

Please ensure your family is familiar with the legal responsibilities for storing firearms:

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

Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- A parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.



PARENT RIGHTS AND INFORMATION

The easiest and safest way to comply with the law is to keep firearms in a locked container or disabled/secured with a trigger lock or other locking device that renders the firearm inoperable.

Please refer to City of San José Ordinance 30015, California Penal Code sections 25100 through 25125 and 25200 through 25220, and California Civil Code Sections 29805 and 1714.3.

Naviance by PowerSchool College and Career Planning

San José Unified partners with Naviance by PowerSchool, a digital platform that provides tools for families and schools to stay informed on student college and career planning progress. Naviance by PowerSchool allows students to explore and plan career and college pathways and enables school staff to support student needs and provide resources and guidance. Students must have an email address to access Naviance by PowerSchool. Starting in the 8th grade, San José Unified staff will work with students who do not already have a personal email account to create a Google account based on name (first initial, middle initial, last name) and graduation year.

Statewide Assessment Exams

Each spring, schools across California participate in the California Assessment of Student Performance and Progress program, also known as CAASPP. Students may participate in the Smarter Balanced Summative Assessments for English Language Arts and Mathematics (SBAC), the California Alternate Assessments (CAA), California Spanish Assessments (CSA), and the California Science Tests (CAST). These assessments help school districts, the state, and the public monitor student progress under the Common Core State Standards (CCSS), supporting more rigorous instruction and increased student expectations. Please remember that performance on these assessments is not the only source of information about your student's progress in school. Classroom work, grades, teacher evaluations, and other test results help provide a more complete picture.

If you have any questions about your student's participation in CAASPP or want to request that your student be exempted from one or more CAASPP assessments, please submit a written request to your student's school specifying the assessments from which you want your student to be exempt. This request must be submitted annually.

Assessments are used for various purposes, including placement in advanced math pathways in middle school. Students who opt out of the state assessment exams will limit their access to these programs. For more information about statewide assessments, please visit go.sjUSD.org/performance.

Comprehensive Family Life and Sexual Health Education

San José Unified provides comprehensive family life and sexual health education and disease prevention education to students in grades 5, 7, and 9 in accordance with the California Healthy Youth Act and as part of our commitment to expose our students to resources that promote diversity and inclusivity. These programs address physical health related to puberty and sexuality education, personal safety, access to trusted adults and local resources, bullying, and respectful relationships. We partner with Health Connected for these programs. In grade 5, teachers attend training with Health Connected staff, and teachers provide the instruction to students. In grades 7 and 9, Health Connected staff provide the instruction with the San José Unified teacher present.

Parents and guardians are notified each year before the offered instruction. Information sessions are provided for parents and guardians of students in grade 5. In grades 7 and 9, parents and guardians will have the opportunity to review written and/or audiovisual materials used in the instruction.

The California Healthy Youth Act requires that all school districts provide comprehensive sexual health education and disease prevention education to students at least once in middle school and once in high school, beginning in grade 7. These education programs are meant to encourage students to communicate with their parents, guardians, or other trusted adults about human sexuality. The information provided will be medically accurate, age-appropriate, and inclusive of all students. Parents/guardians will be notified in writing before students are offered instruction in comprehensive sexual health education and when written and/or audiovisual materials used in this instruction are available for inspection. If you do not want your student to participate in this instruction, please submit a written request to your school principal.

If you would like to opt your student out of all or a portion of these courses, please submit a written request to your school. Please note: You may opt out students from the entire course or any portion of the course, but you may not opt students out from only the gender identity portion of the course.



SPECIAL EDUCATION

Programs, Services, and Processes

San José Unified provides programs and services for students with disabilities to ensure equal access to the grade level curriculum. Our special education services create inclusive educational climates where individuality and diversity are respected, honored, and celebrated. We strive to partner with students and parents/guardians to develop the most exciting learning environments for the academic, social, and emotional success of each student, where the curriculum is universally accessible and aligned with the goals of the strategic plan.

By law, the district will actively locate, identify, and assess all children with disabilities including students who are homeless, wards of the state, and enrolled in public or private schools. A special education referral for assessment may be appropriate after research-based intervention strategies have been implemented over time. This referral is usually initiated by the Student Success Team (SST) but also may be initiated by the parent, teacher, or outside provider.

The assessment process at San José Unified determines whether a child is eligible for special education services and if so, which special education services are the most appropriate. There are five basic steps in the special education assessment process:

1. Referral for Assessment

Referrals for assessment for special education services can come from a variety of sources. Parents or guardians; teachers, other school staff, and community members; or the Student Success Team (SST) at your child's school. Our goal is to serve students in the least restrictive environment by adding supports and adjustments to the general education program. San José Unified is required to document that the student's educational needs cannot be successfully met through a multi-tiered system of supports and adjustment of the general education program before they make a referral for Special Education. We encourage parents and guardians to start by discussing concerns with the child's teacher, the principal, or through a Student Success Team. Parents or guardians may also write a letter requesting an assessment for their child. To request an assessment, please send an email to specialed@sjusd.org.

2. Determination of Assessment

San José Unified will respond to any referral for an assessment within 15 days of receiving the referral for assessment – not counting school vacations greater than five days such as the summer or New Year recess. Our staff review all available evidence, including student grades, attendance, academic performance as measured by statewide and district-wide assessments, and other information as appropriate. If the district team assigned to the referral determines that an assessment of the student is not appropriate, the parent or guardian will receive a written notice of this decision within the 15-day period. If the team determines that an assessment is appropriate, the parent or guardian will receive an Assessment Plan that describes the types and purposes of the assessments that may be used to determine your child's eligibility for special education services. The parent or guardian must consent to and sign the Assessment Plan before an assessment can be administered.

3. Assessment to Determine Eligibility

An assessment involves gathering information about the student to determine whether the student has a disability and if they require specialized academic instruction because of the disability. Assessments may include individual testing, observation of the student at school, interviews with the parents or guardians, student and school staff who work with the student, and review of school records, reports, and work samples. Eligibility for special education services is the result of following a systematic process that carefully evaluates and identifies one or more learning impairments that interfere with a student receiving educational benefit. Eligibility is determined by an Individualized Education Program (IEP) team using the state defined eligibility criteria.

4. Individualized Education Program (IEP)

After the student has been assessed, an Individualized Education Program (IEP) meeting will be held. The school must provide parents or guardians with prior written notice of the IEP meeting within a reasonable time. This notice will include: the date, time, and place; the reason for the meeting; who will be at the meeting; and a statement of the right of participants to electronically record the meeting. At this meeting, the IEP team will discuss the assessment results and determine if the child is eligible for special education services. If eligible, an IEP will be developed during the meeting. A parent or guardian must sign the IEP for a student to begin receiving special education services.



SPECIAL EDUCATION

5. IEP Review

After a student qualifies for and begins receiving special education services, the IEP will be reviewed in an IEP meeting at least once per year to determine how well it is meeting the student's needs. The case manager and related service providers will monitor the student's progress on an ongoing basis. In addition, every 3 years, the student will be reassessed, and their IEP and progress reviewed to determine if the student still qualifies for special education services.

We encourage parents and guardians to maintain regular contact with the educational professionals who work with their child. If your child has an IEP and you have concerns about their educational needs being met, either the parent, guardian, or school staff may request a reassessment or an IEP meeting at any time during the school year. Requests should be submitted in writing to your child's school.

For additional information, please visit our website at www.sjUSD.org/our-schools/special-education.

Preschool Assessment

San José Unified provides special education assessments for preschool-age children, ages 3-5, who live within the district boundaries and enroll with San José Unified. The assessment process is in place to help determine a student's potential eligibility for district-provided special education services. Our Preschool Assessment Center staff will guide your family through the district assessment and Individualized Education Program (IEP) process and, if your student qualifies for special education services, the programs and services we provide. To request an assessment, please send an email to special@sjUSD.org.

Accommodations for Students with Disabilities on College Board Tests

Students with documented disabilities may be eligible for accommodations on College Board tests, including Advanced Placement (AP), Scholastic Aptitude Test (SAT), and Preliminary SAT/National Merit Scholar Qualifying Test (PSAT/NMSQT). Students cannot take these exams with accommodations unless a request has been submitted and approved by Services for Students with Disabilities (SSD). Students and parents submit one SSD Student Eligibility Form for all three College Board programs during the student's high school career (unless the student transfers to another school), generally in the fall of the student's sophomore year. The Student Eligibility Form is not date specific. Schools can keep and use it anytime, any year until the College Board provides a revised version. Students who may be eligible should contact their school for information on how to apply or visit collegeboard.org/students-with-disabilities/eligibility.

Section 504: Students with Disabilities

A student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a medical record of such an impairment, or (c) is regarded by administrative and educational staff as having such an impairment. Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

A qualified student with disabilities, with respect to public preschool, elementary, secondary, or adult educational services, is a person with disabilities of an age in which people without disabilities are provided such services or of any age during which it is mandatory under state law to provide such services to people with disabilities.

Any student may be referred by a parent/guardian, teacher, other certificated school employee, or community agency for consideration as a student with disabilities under Section 504. This referral should be made to the school site principal, and the 504 Team will promptly consider it. The district will complete the identification, evaluation, and educational placement process within a reasonable time frame.

Please refer to Board Policy and Administrative Regulation 6164.6 (adopted September 20, 2001, revised November 2, 2023).



LANGUAGE PROGRAMS

Structured English Immersion (SEI)

Structured English Immersion (SEI) is the initial language program for all English Learners whose parents have not requested another bilingual program. All elementary schools in San José Unified have at least one SEI classroom at each grade level, except at our TWBI magnet, River Glen K-8 School.

Teachers focus on English Language Development (ELD) and Specially Designed Academic Instruction in English (SDAIE). They modify their instruction and employ strategies to make the core content comprehensible for English Learners and to help them maintain grade-level competency and acquire English as quickly as possible.

All teachers of English Learners address the English Language Development (ELD) Standards through daily integrated and/or designated ELD. For more information, please visit go.sjUSD.org/language.

Two-Way Bilingual Immersion (TWBI)

TWBI education has been part of San José Unified for over 30 years. In our TWBI program, students develop dual language proficiency by receiving instruction in English and Spanish in a classroom comprising native Spanish speakers and native English speakers.

Two-way programs provide both sets of students with ample exposure to the two languages, one language at a time. This allows them to progress and attain academic excellence in both languages while gaining an appreciation for another culture and developing mastery of grade-level content standards. Program participants and their families are expected to make a minimum commitment of six years (K-5) to benefit from the TWBI model fully.

Parents and guardians must attend an orientation to TWBI before enrolling their students in the program. Orientations generally occur in January. For more information, please visit go.sjUSD.org/twbi.

Academic Language Acquisition (ALA)

San José Unified's innovative Academic Language Acquisition (ALA) program was developed to help Spanish-speaking students accelerate their English language development while improving their native language literacy. Students participate from transitional kindergarten (TK) through 3rd grade, with increasing ratios of English language instruction year over year. Academic progress is monitored to ensure mastery of grade-level content standards, and language development is monitored to ensure students are on track to transition into a Structured English Immersion (SEI) classroom by 4th grade.

One of our elementary schools offers the ALA program, but any student living within district boundaries can apply. We encourage you to attend an orientation to ALA that will be provided at the start of each school year. For more information, please visit go.sjUSD.org/ala.

For more information about language assessment requirements, please visit go.sjUSD.org/language.

Parent Request for Additional Language Acquisition Programs

Parents and guardians may choose a language acquisition program that best suits their child. Parents may request a language acquisition program at their school. If the parents and guardians of 30 or more students enrolled at the school or 20 or more students in the same grade level request a language acquisition program, San José Unified will be required to offer such a program to the extent possible, based upon state law requirements.

The Division of Instruction employees will monitor the requests and instigate a feasibility assessment when the target number of written requests is received. Each written request from a parent/guardian must include the date of the request, names of the parent/guardian and student, student's grade level on the date of the request, and a general description of the requested program: Academic Language Acquisition (ALA), Two-Way Bilingual Immersion (TWBI), etc. with the language requested

For more information and to download a request form, please visit go.sjUSD.org/language.



LANGUAGE PROGRAMS

English Language Proficiency Assessment for California (ELPAC)

The English Language Proficiency Assessment for California, also known as the ELPAC, is California's test to identify English learners and assess yearly progress toward proficiency in the English language. The ELPAC is aligned to the 2012 California English Language Development Standards.

Beginning July 1 each year, the ELPAC initial assessment is administered to all newly enrolled students in California public schools where a language other than English is indicated on the Home Language Survey, which is filled out at the time of enrollment. The initial ELPAC tests a student's English language proficiency in four different areas: Listening, Speaking, Reading, and Writing.

Between February 1 and May 31 each year, all students in California identified as English Language Learners take the Summative ELPAC Assessment. Students will receive scores from the ELPAC, and these scores will be used to support teachers in providing English Language Development instruction.

For more information, please visit the California Department of Education website at cde.ca.gov/ta/tg/ep.



ATTENDANCE

Requirements, Truancy and Chronic Absences

San José Unified welcomes our obligation to educate our students to the best of our ability. To do this, students need to be at school on time and attend school regularly. Studies have shown that missing even five days of school a year can harm learning. Because of this, State law requires all children ages 6-18 to be enrolled in full-time education. A student who misses three or more days of school or is 30 minutes late without an approved excuse will be subject to our truancy process. Parents of students who miss five or more days of school, even if excused, will be contacted by school employees so that San José Unified may work in partnership with families to help our students get back to school and engage in their own learning.

Chronic Absences

Children need to be at school every day to learn. A national study released in 2016 found that children who are chronically absent in *preschool, kindergarten, and first grade* are much less likely to read at grade level by the third grade¹. Students who cannot read at grade level by the end of third grade are four times more likely than proficient readers to drop out of high school².

A "chronic absentee" has been defined in California Education Code Section 60901(c)(1) as a student who is absent on 10 percent or more of the school days in the school year. When a student is identified as a chronic absentee, the Superintendent or designee will communicate with the student and their parents or guardians to determine the reasons for the excessive absences, ensure the student and parents and guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving school attendance. The student may be referred to a student success team or school attendance review team to assist in evaluating their needs and identifying strategies and programs to assist them.

Whenever chronic absenteeism is linked to a health issue or non-school condition, the Superintendent or designee may recommend school or community resources or collaborate with community agencies and organizations to address the needs of the student and his/her family.

Absence Verification

All absences must be verified within five school days. Doctors, other medical professionals, and parents/guardians may verify student absences by note, email, phone, or other electronic means. If verification has not been received within the five-day period, the absence(s) will be considered unexcused, and the student will be at risk of becoming truant.

Please refer to Administrative Regulation 5113 (adopted September 20, 2001, revised August 24, 2023).

Types of Absences

Excused Absences

1. Illness, including for the benefit of student mental or behavioral health: A doctor's note may be required for extended illness
2. Quarantine: Directed by a county or city health officer
3. Medical, dental, optometry, and other medical appointments or treatment
4. Attendance of the funeral service of an immediate family member* for not more than five days per funeral
5. To access a victim service organization or agency, grief support services, to participate in safety planning, or to take actions to increase the safety of a student in the event of the death of an immediate family member* of the student
6. Jury duty, as required by law: 18 or older
7. Attendance in court proceedings
8. Illness or medical appointment during school hours for a child of whom the student is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor
9. Approved participation in a school co-curricular activity in which the student represents the school or district, including athletic events, fine arts and/or vocational exhibits or performances, and academic competition
10. One school day per semester for religious purposes

* *Immediate family includes mother, father, grandmother, grandfather, brother, sister, or a person determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family. Please refer to CA Education Code 48205.*

¹ <https://consortium.uchicago.edu/publications/preschool-attendance-chicago-public-schools-relationships-learning-outcomes-and-reasons>

² www2.ed.gov/datastory/chronicabsenteeism.html



ATTENDANCE

Unexcused Absences

1. Missing class without an excused or warranted reason, whether the absence is student or parent initiated
2. Any absence which has not been verified by the close of the school attendance office on the fifth school day of attendance following the last day of the absence
3. Absences for which advanced approval is necessary and approval was not obtained before the absence
4. A tardy to an assigned classroom/locker room over 30 minutes is considered an unexcused partial-day absence
5. Absences for trips or vacations, unless short-term independent study is arranged in advance or the principal or designee deems the absence warranted

Warranted Absences

May be excused by the principal or designee with advance notice and in accordance with AR 5113.

1. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including but not limited to appearance in court, attendance at a funeral service, observation of a religious holiday or ceremony, attendance at a religious retreat (not to exceed one school day per semester) or attendance at an employment conference or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization
2. Service as a member of a precinct board for an election pursuant to Elections Code 12302
3. Participation in religious exercises or to receive moral or religious instruction at the student's place of worship or a suitable place away from school
4. To spend time with an immediate family member who is an active-duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or combat support position or is on leave from or has immediately returned from such deployment.
5. To attend the student's naturalization ceremony to become a United States Citizen
6. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, or traditions of a certain group of people
7. Work in the entertainment or allied industry. Such absence shall be excused provided that the work for a student who holds a work permit authorizing such work in the entertainment or allied industries is absent for a period of not more than five consecutive days. For this purpose, student absences shall be excused for a maximum of five days per school year
8. Participation in a non-profit performing arts organization in a performance for a public school audience
9. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstance
10. Engagement in a civic or political event. For middle or high school students, a student may be excused for one school day per school year for this purpose.

Short-Term Independent Studies

If a student is required to be out of the area due to an emergency, the parent or guardian may request for the student to complete a Short-Term Independent Study Contract. This contract is valid for only 5-15 days each year if arrangements have been made in advance and are approved or denied at the school administrator's discretion. The independent study option will be substantially equivalent in quality and quantity to classroom instruction and absences will be excused if a student meets all the contract requirements. A student with disabilities may participate in independent study if the student's IEP specifically provides for such participation. For more information, please contact the principal or a member of the school administrative team. Due to the nature of this work, we do not allow short-term Independent Studies for the first or last 15 days of the school year.

Long-Term Independent Studies

A student in grades 6-12 needing Independent Studies for more than 15 days in a school year should contact our Student Services Department. This option is available at Liberty Alternative School for students who can successfully learn grade-level content with minimal teacher interaction.



BEHAVIOR AND DISCIPLINE

San José Unified believes all students have the right to be educated in a positive public school learning environment free from disruptions, discrimination, harassment, bullying, violence, and intimidation. Students are expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation. Inappropriate student behavior may result in loss of promotion, end-of-year activities, or high school graduation privileges and/or activities at the discretion of site administrators.

Freedom of Speech

Public school students have the right to exercise freedom of speech and the press. However, any expressions that constitute harassment, racial slurs, obscenity, libel, or slander are prohibited.

Bullying

Bullying is defined as repeated or severe physical or verbal act or conduct directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing a reasonable student(s) in fear of harm to self or property
- Causing significant harm to a student's physical or mental health
- Causing substantial interference with the student's academic performance
- Causing significant problems with a student's ability to take part in or benefit from the services, activities, or privileges provided by a school

Behaviors Inappropriate at School and in the Community:

- Physical bullying: An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
- Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
- Social/relational bullying: An act that harms a person's reputation or relationships, spreading rumors, or embarrassing someone in public
- Cyberbullying: An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, website, or fake profiles

Please refer to Board Policy and Administrative Regulation 5131.2 (adopted January 30, 2020).

Cheating and Academic Integrity

Students, parents and guardians, staff, and administrators are responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty (cheating on tests, exams, or assessments; plagiarism; deliberate deception; stealing or unauthorized use of assessment tools, answer keys, or school records, etc.) will be subject to district and school discipline rules. Teachers are encouraged to require the student to redo the assignments so that they can assess the student's skill, but they are not required to include the grade in the grade book.

A teacher's professional judgment will determine whether cheating has occurred, in concurrence with the school administration. Consequences will be assigned based on the severity and number of offense(s). Consequences may include suspension, removal of school privileges, removal from current school, and/or loss of grade or credit.



BEHAVIOR AND DISCIPLINE

Mandatory Reporting

State law requires courts to notify school districts when a student is found guilty of certain drug violations and/or violent crimes. Any information received from the court is confidential; unlawful dissemination of this information is a misdemeanor. The information will be transferred to the student's subsequent schools and maintained until the student graduates from high school, is released from juvenile court jurisdiction, or reaches the age of 18, whichever occurs first. After that time, the confidential record will be destroyed.

State law also requires teachers to be notified of each student who has engaged in, or been suspected to have been engaged in, any misconduct for which the student can be suspended other than for using and possessing tobacco products. The above information must be maintained in confidence and transmitted to teachers and supervisory personnel in confidence for three years after receiving such notification or when the student returns to school. San José Unified receives such official notification, and site administrators are notified. The district is required to notify teachers of every student who has caused or attempted to cause serious bodily injury to another person. The purpose of this regulation is to protect individuals from needless vulnerability. Teachers or other staff receiving such information must keep it in strict confidence.

Student Searches

A principal or designee who reasonably suspects that a student possesses illegal or illegally obtained items may search a student's attire, personal property, vehicle, or school property, including books, desks, school lockers, and backpacks. Illegally possessed items will be confiscated and turned over to the police. Parents do not have to be present for school officials to search a student.

Interviewing Students

School officials have the right to interview a student regarding school matters; prior parental consent is not required.

Recess

A member of the school's staff may not deny recess to a student unless the student's participation poses an immediate threat to the physical safety of the student or another student on campus.



SUSPENSION AND EXPULSION

Each school follows its discipline plan aligned to district policies and considers suspension only when other means have not been successful or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.

Grounds for Suspension and/or Expulsion

Please refer to California Education Code 48900 for a complete list of offenses that constitute grounds for suspension and/or expulsion from San José Unified schools.

A student may not be suspended or expelled for any of the acts enumerated in EC 48900 unless that act is related to a school activity, takes place while attending a school under the superintendent's or principal's jurisdiction, or occurs within any other school district.

A student 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, school-sponsored activities.

A student may be suspended or recommended for expulsion if the student has made a threat, online, in person, in writing, or through other electronic means, even if there is no intent of carrying it out, that causes a person or persons to believe that their own personal safety or the safety of school property is at risk. *Please refer to EC 48900.4.*

Suspension

A student may be suspended from school for violation of district disciplinary rules. Unless a student poses a danger to the life, safety, or health of students or school personnel, a suspension will be preceded by an informal conference between the principal and student, during which the student will be informed of the reason and evidence for the suspension and will have the opportunity to present a defense. At the time of suspension, a school employee will make a reasonable effort to contact the student's parent in person or via phone or email. The parent will be given written notice of the suspension. While on suspension from school, the student may not be present on or about any school grounds at any time, nor attend any San José Unified activity at any time, no matter where such activity may occur. Violation may result in further disciplinary action.

Authority to Suspend

1. A teacher may suspend a student from their classroom for two days, including the day of suspension plus the following school day.
2. The principal or designee may suspend a student from class, classes, or the school campus for a period not to exceed five school days.
3. The superintendent or designee may extend a student's suspension pending the Board of Education's final decision on an expulsion recommendation.
4. A special education student being considered for expulsion may be suspended for ten days pending assessment and an IEP Team meeting.
5. The Board of Education may suspend a regular education student for no more than twenty days in one academic year.

Classroom Suspension

A teacher who imposes a classroom suspension will report all suspensions in writing to the appropriate school administrator and inform the student's parents or guardians within 24 hours. In the event of a classroom suspension, the teacher will ask the parent to attend a parent-teacher conference as soon as possible.



SUSPENSION AND EXPULSION

Expulsion

Expulsion is the involuntary removal of a student from comprehensive schools and programs for one to two semesters for acts of specified misconduct. Final action is taken only by vote of the Board of Education. Expulsion proceedings for a currently identified special education student require additional due process procedures. While under expulsion, a student cannot enroll in another California school district without the approval of that district's Board of Education. Certain expelled students may enroll only in Juvenile Court Schools or County Community Schools during the duration of the expulsion.

The Board of Education, upon voting to expel a student, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the student to a school, class, or program that is deemed appropriate for rehabilitation. The rehabilitation program to which the student is assigned may provide for the involvement of the student's parent or guardian in their child's education in ways specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program will not be considered in the board's determination as to whether the student has completed the rehabilitation program satisfactorily.

If a student is recommended for expulsion, they are entitled to a hearing and, among other things, advance written notice of their rights and responsibilities. Written notice of these due process rights must be provided at least 10 days before the hearing date. All decisions to expel are final but may be appealed to the County Board of Education. A statement of rights is given in writing to parents of students who have been expelled. Please see EC 48919 for the detailed appeal process.

Reporting to Law Enforcement

State law requires district staff to notify law enforcement in a variety of situations that may involve controlled substances, weapons, violence, or threats of violence. Please refer to California Education Code (including 44014, 48267, 48900, 48902, and 48915) and California Penal Code (including 245, 626.9, and 626.10) for details.

Saturday School

Middle and high schools are authorized to maintain, as resources permit, a Saturday School to which students may be assigned as a way to make up for unexcused absences, due to truancy and/or tardiness, and excused absences (makeup of excused absences is strictly voluntary). A student may also be assigned Saturday School as a consequence for poor behavior as an alternative to suspension.



HEALTH AND WELLNESS

Wellness Policy

Recognizing the link between student and staff wellness and learning, the San José Unified Board of Education adopted a Wellness Policy in 2006 that is designed to build, promote, and integrate a comprehensive school health system. Please visit go.sjUSD.org/health to learn more.

Please refer to Board Policy 5030 (adopted June 20, 2006, revised June 30, 2022).

Counseling

Each school can provide counseling and intervention services to students and their families. Counselors may meet with a student for the first time without parental permission but require parental consent for ongoing counseling. Supplemental counseling services are available at all sites through community mental health agencies. Written permission from a parent or guardian is required for a student to participate in supplementary counseling services. State law provides that parent or guardian permission may not be required for a student over the age of 12 under the following conditions: the child may present a danger or harm to him or herself or others; is the alleged victim of child abuse; or involvement of the parent/guardian would be detrimental to the child's welfare. In these circumstances, the community agency counselor may make a report to a children's protective agency.

Student Nutrition

San José Unified believes students need adequate, nourishing food to grow, learn, and maintain good health. Schools and school districts play a vital role in childhood nutrition and fitness, and as part of the larger community, we have a responsibility to promote family health and provide a strong foundation for children's future health and wellbeing. Foods available at our schools will be carefully selected to contribute to students' nutritional well-being and disease prevention; prepared in ways that will appeal to students, retain nutritive quality, and foster healthful eating habits; and served in age-appropriate quantities. All San José Unified students can receive two meals per day (breakfast/brunch and lunch) at their school each regular school day at no cost. Student organizations and other school-connected groups may sell nutritious food and beverage items at their functions only if such sales comply with district, local, state, and federal regulations. Monthly menus are available on our website at www.sjUSD.org/your-resources/student-nutrition-services/.

Immunizations

Students must meet state immunization requirements when enrolling in transitional kindergarten (TK) through 12th grade. Students advancing to 7th grade also must meet state immunization requirements. Parents must show their child's immunization record as proof of immunization. A complete list of the required immunizations can be found at go.sjUSD.org/enroll. Students who don't meet the immunization requirements may be excluded from school until the parent or guardian provides documentation of compliance with the requirements. As of January 1, 2021, all medical exemptions for school must be submitted through CAIR-ME by physicians licensed in California. Once the exemption is issued, the physician must provide a copy to the parents to give to their child's school. The law no longer allows parents or legal guardians to choose an exemption from immunization requirements based solely on personal or religious beliefs.

Tuberculosis Screening

To comply with the Tuberculosis (TB) School Mandate for Santa Clara County, all children entering Kindergarten or transferring at any grade level from outside Santa Clara County need a TB risk assessment form signed by a health professional licensed in the United States. To be valid, the documentation must be signed within 12 months before the first school entrance or transfer. Students who do not meet the Tuberculosis screening requirement may be excluded from school until the parent or guardian provides documentation of compliance with the requirements.

Allergies

Any known student allergies to food or other items, materials, or chemicals regularly found on school campuses should be reported to the school administration and included in the student's record.



HEALTH AND WELLNESS

Head Lice

When a student has been identified as having head lice/nits (eggs), the student's parent/guardian will be contacted, and the student will be sent home from school. The School Health Office will provide the parent with information regarding head lice, treatment, readmission requirements, and resources. The student may return to school the following day if nits/lice have been removed from the hair. The school office staff will examine the student's head before reentry into the classroom. The student will be given an unexcused absence if they do not return to school free of nits/lice after two days from the date the student was first sent home for a lice episode.

COVID

San José Unified's top priority continues to be the health and safety of our students, families, employees, and community. San José Unified continues to follow the guidance of national, state and local public health agencies. Our COVID mitigation strategies and procedures may change during the year to reflect the most recent guidance.

Illness and Outbreaks

For the safety of all, students with any of the following symptoms should not attend school:

- Severe cold symptoms (uncontrollable cough, difficulty breathing or trouble catching breath, or wheezing when not controlled by medication) Fever of 100.4°F or higher
- Eyes or ear irritation (difficulty seeing or hearing, eye injury or pain that cannot be tolerated)
- Untreated, draining ears or earache
- Diarrhea (liquid stool)
- Severe nausea or vomiting (2 or more times in 24 hours)
- Severe sore throat (with difficulty breathing or swallowing)
- Untreated head lice and/or nits (eggs) in the hair
- Rash that is worsening, causing pain, has blisters or is not healing

If a student is at school with any of these symptoms and cannot participate meaningfully in routine activities, a parent/guardian will be called to pick up the student. Students who have been ill should stay home if a fever is 100.4 degrees F or higher and may return if the fever resolves overnight and is gone in the morning without medications such as Tylenol, Advil, or Motrin. Students experiencing diarrhea should stay home if they have liquid stool and are unlikely to make it to the toilet in time and may return to school when diarrhea has improved. Students experiencing vomiting should stay home if they have had 2 or more vomiting episodes in 24 hours and may return to school when vomiting has ended overnight and your child is able to hold down liquids and foods.

Protocols for illness and outbreaks may change based on directions from the Public Health Department. Under certain circumstances, parents may be asked to consult a physician and provide a written note from that physician indicating that the student may return to school.

Health Checkups And Physical Exams

State law requires that all children have a physical examination within 18 months before entering the first grade. Please call your school Health Office for information regarding a possible free Child Health Disability Program (CHDP) exam. Waivers are available under certain conditions by written request to the school principal.

A parent or guardian may file annually with the school's principal a written statement, signed by the parent or guardian stating that they will not consent to a physical examination of their child. The student will then be exempt from any physical examination, but whenever there is a good reason to believe that the student is suffering from a recognized contagious condition, the student will be sent home and is not permitted to return until the school authorities are satisfied that any contagious condition does not exist.

Please see Education Code 49451.



HEALTH AND WELLNESS

Diabetes

State law requires the California Department of Education to develop information on Type 1 and Type 2 diabetes in coordination with other partner agencies and share this information with students' parents and guardians. You can access this information using the links below.

Type 1 Diabetes Information: www.cde.ca.gov/ls/he/hn/type1diabetes.asp

Type 2 Diabetes Information: www.cde.ca.gov/ls/he/hn/type2diabetes.asp

Please see Education Code 49452.6.

Oral Health Assessment

State law requires that students have an oral health assessment (dental check-up) by a licensed dentist or other licensed or registered dental health professional by May 31 in either kindergarten or first grade, whichever is their first year in public school. Assessments completed within 12 months of a student entering school also meet this requirement. Oral health assessments are available at selected school sites through a collaboration with community partners. Parents and guardians may sign waivers under certain conditions.

Vision And Hearing Screenings

All students receive vision and hearing screening in transitional kindergarten, kindergarten, and grades 2, 5, and 8. Male students in grade 1 will also receive color vision screening. Students in any grade level may be screened if the parent, teacher, or school nurse suspects a vision or hearing problem, for special education assessments, and as needed for district health initiatives. Those who fail the initial screening may be re-tested by the school nurse. Parents will be notified and referred for further follow-up only when a problem is identified. Parents and guardians may submit a written request to the school principal for exemption from these health screenings.

Medication Administration

A school nurse or designated employee may assist any student required to take prescribed medication during the school day if the school receives a completed School Medication Permission Form signed by an individual who the State of California licenses to prescribe medication and the student's parent or guardian. Upon written physician authorization, written parent's consent, and school nurse approval, a student may be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication. Medication forms can be obtained from the school Health Office. No medication, including herbal remedies or other over-the-counter drugs, will be stored or dispensed at school without the physician's and parent's written authorization. All medication permits must be renewed at the beginning of the school year before school employees may assist with medication administration. The parent must supply medication in the original prescription or over-the-counter container, clearly labeled with the student's name, medication, dosage, and directions. Parents of a student on continuing medication for a non-episodic condition must inform the school nurse or designated school personnel of the medication being taken, its dosage, and the name of the prescribing physician.

Confidential Medical Services

State law requires parents to be notified that students in grades 7-12 may be excused from school to obtain confidential medical services without the consent of their parent or guardian.

Please see Education Code 46010.1 and Board Policy 5113 (adopted September 20, 2001, revised August 24, 2023).

Cancer Prevention Act:

The parents and guardians of students admitted to or advancing to the sixth grade level are hereby notified that the State of California advises that students adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices (ACIP) of the federal Centers for Disease Control and Prevention (CDC), The American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full Human Papillomavirus (HPV) immunization before admission to or advancement to the eighth grade level of any private or public elementary or secondary school.

While HPV vaccination is not required for school, HPV vaccination is routinely recommended at age 11-12 years and can start as early as 9 years. The vaccine is more effective if given sooner because pre-teens produce more antibodies after HPV vaccination than older teens. Vaccinating at a younger age can also protect them before exposure to the virus. HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows the benefits of HPV vaccination far outweigh the potential risks. (Refer to Health and Safety Code 120336 and California Education Code 48980.4)



HEALTH AND WELLNESS

Notice Regarding the District's Participation in the LEA Medi-Cal Billing Program

In cooperation with the California Departments of Health Care Services and Education, the district participates in a program that allows the district to be reimbursed with federal Medicaid dollars for select health services provided to enrolled Medi-Cal students at school. The money received through this program is directly reinvested into expanding and improving health and social services for all students.

In accordance with state and federal rules and guidelines, we are notifying you that some information may be released from your student's records to our reimbursement recovery vendor, Leader Services, and to the Department of Health Care Services (DHCS) for claiming purposes only (and your child's Medi-Cal benefits may be accessed).

All information that is shared is encrypted and transmitted securely to both our vendor and to DHCS.

The education records that may be shared because we participate in this program include:

- Student name, date of birth, health-related evaluation, intervention, and referral information (for services received at school)
- Practitioners' notes related to these health services and select data from the child's IEP/IFSP (if applicable)

You have the right to withdraw your consent to disclose your student's information at any time. **Please note that students will not be denied services they require to attend school, and parents will never be billed by the school district for services provided whether they consent or not.** Further, while Medi-Cal reimburses the district for select health services, your child's Medi-Cal benefits should not be impacted in any way.



AFTER SCHOOL PROGRAMS

Expanded Learning Opportunities Program (ELO-P)

School districts in California are required to offer a nine-hour school day for students in grades TK-6 who meet the following criteria:

- Homeless
- Foster youth
- Meet income eligibility requirements
- English Learners

All elementary and middle schools have this program available to students who meet the criteria. Returning students are invited to attend the program in the spring of the prior school year if they continue to be eligible. Newly enrolled students will be invited to attend the program in the fall of the current school year.

San José Unified offers eligible students a four-week Expanded Learning Opportunities Program in the summer and ten additional days during scheduled student recesses.

After School Education and Safety Program (ASES)

San José Unified participates in the After School Education and Safety Program (ASES) through the California Department of Education. This funding provides after school programs in partnership with public schools and communities to provide academic and literacy support and safe, constructive alternatives for youth. San José Unified contracts with third-party providers to staff these programs at our schools, and all staff members are employees of the third-party provider. Questions and concerns about the ASES program should be first addressed with the third-party provider.

Other Programs

After school programs on our campuses that are not part of the Expanded Learning Opportunities Program or ASES are provided by private companies and community organizations that pay fees to use our facilities. The district has no oversight over the policies and procedures of these third-party providers, nor do we solicit their business. If parents or guardians have questions or concerns related to these independently run after school programs provided on any San José Unified campus, those concerns should be addressed with the program operators.

Please note that the district's facility use fees are based entirely on a formula developed and monitored by the State of California. The district does not seek to profit from facility use as we are a public entity and function as a nonprofit.



TECHNOLOGY USE

San José Unified technology resources are provided to our students and employees for educational purposes only. These resources include district-provided devices, email, district-provided Google Workspace for Education accounts, internet access, and district-supported applications. The Technology Use policy applies to district-provided devices and personal devices that connect to our wireless networks, including phones, tablets, and laptops. Students who violate this policy may lose access to their district-provided device and the school network and may be fined for repair/replacement costs.

Students who bring personal devices to school assume all liability and risk for damage to them. Personal devices may connect to the wireless guest network available at all schools and offices. Only district-provided devices may connect to San José Unified's main wireless network, and district-provided devices receive bandwidth priority over personal devices.

All San José Unified students can request a district-managed iPad (grades K-2) or Chromebook (grades 3-12) for school use. We have robust content filters and security policies in place to ensure the safety of our students online. If students use their district-issued device to look up inappropriate or harmful content (to themselves or others), their searches will be flagged for review, which might result in a follow-up with an SJUSD Counselor or administrator. A content filter is also in place if students use a personal device on the SJUSD network, but online activities are not flagged or reviewed by staff. Students are responsible for what their personal device is used for. It is up to Principals whether students can bring personal devices on campus to use for school.

All students are responsible for properly caring for their devices and accessories (charger, keyboard/case), including transporting them between home and school if approved by their teacher for at-home school work. If a device requires repair or replacement, the parent/guardian or student must contact the school and provide details about how the damage to the device happened. School technicians are on campus to evaluate and support students with their SJUSD-issued devices. Students may be fined to cover the repair/replacement costs of the device or its accessories. If fines go unpaid, they will be due upon graduation or unenrolling from SJUSD.

Device and Network Filtering

All San José Unified student devices are restricted from accessing inappropriate content or online pages that do not have an educational purpose. As the internet continually evolves, our Technology Services team updates the content categories on the restricted list. The following types of content are examples of restricted content on student devices when connected to the San José Unified network: adult content, gaming-only sites with no educational purpose, alcohol and drugs, making or buying weapons, hate speech, and social media (excluding YouTube).

Social Media Use

The United States Surgeon General issued an advisory in May of 2023 on the Effects Social Media Use Has on Youth Mental Health. The advisory stated, "... there is growing evidence that social media use is associated with harm to young people's mental health." San José Unified restricts all social media sites and applications on district-provided student devices. Students who bring personal devices, such as phones or tablets, will not be restricted from accessing social media sites on those devices while at school.



TECHNOLOGY USE

Responsible Use Policy

School technology and networks are primarily provided to help support learning and curiosity. Using a personal or district-provided device at school and accessing district networks and services is a privilege; any privilege comes with responsibility.

Digital citizenship

- I will treat people with dignity and kindness when using technology and online.
- I will be honest and ethical in all digital communications.
- I will be kind and refrain from making threats, insulting, gossiping, or teasing others online.
- I will credit authors or sources when using information or ideas that are not my own, understanding that failure to properly cite my sources of information is called plagiarism and a form of cheating.
- I understand that what I post may be seen by others at school and at home and globally on the Internet.
- I will not share personal information (mine or others), including addresses, phone numbers, ages, birthdays, or details about family or friends.
- I will consider the audience and how they might interpret my words.
- I will give constructive criticism and provide supportive comments.
- I will use respectful and appropriate language, avoiding profanity, name-calling, and language that makes others uncomfortable due to their gender, race, appearance, behavior, or beliefs.
- I will fact-check information before I share it digitally.
- I will not impersonate others or try to trick people into thinking something I wrote was done by someone else.

Personal responsibility and safety

School computers and internet communication tools must be used properly and responsibly.

- If I find inappropriate content on the Internet, I will notify a teacher or a trusted adult, especially if it happens during an assignment.
- I will take care of school technology equipment as if it were my own.
- I will respect the district network's security measures and only download apps or content with permission.
- I will only log in to the computer or network with my own username and password.
- I understand that using school technology, networks, or personal devices at school is a privilege earned through responsible use. If I make a mistake, I will inform a trusted adult and seek help to correct it. If I repeatedly fail to follow this agreement, my privileges may be revoked, and I may face additional consequences.

Consequences for Violation

Upon discovery through monitoring software or other methods, violations of these rules will be reported to the site administrator and may result in disciplinary action, including the loss of a student's privileges to use the district's IT resources (e.g., account disabling, elimination of access to technology and technology platforms). Other disciplinary actions may be taken in accordance with California Education Code (EC) and San José Unified policy.

Supervision and Monitoring

School and network administrators and their authorized employees monitor the use of IT resources to ensure that uses are secure and in conformity with this policy. Administrators reserve the right to examine, use, and disclose any data found on the school's information networks to further the health, safety, discipline, or security of any student or other person, or to protect property. They may also use this information in disciplinary actions and will furnish evidence of crime to law enforcement.



SAFETY AND SECURITY

San José Unified is a place of learning and a community of students, families, faculty, staff, and volunteers. As such, the district is committed to fostering an environment that promotes the dignity, equality, and safety of all. Every student has the right to be educated in safe, secure, respectful, and welcoming schools. As such, San José Unified will not tolerate violent, criminal, or dangerous behavior in its school communities. All members of the San José Unified community have the right to expect that the district will proactively seek to prevent violence, abuse, and harassment. Should the need arise, school grounds may be closed for campus safety or security.

Before and After School

For the safety of students, parents are not to drop students off at school more than 30 minutes before the start of school unless a student is involved in a regular school activity or community program. Similarly, parents and guardians are to arrange to have students picked up immediately after school unless a student is involved in a regular school activity or community program or is staying at the request of a school employee. The school will contact the parent when the school wishes to have the student remain after school. If a student rides a San José Unified bus to and from school, the parent or guardian has the responsibility to arrange to meet the child at the designated bus drop-off location at the designated time. *See Transportation section of the handbook.*

It is unsafe for students to be left at school during unsupervised times, and it is unreasonable to expect school employees to supervise students outside of school hours. Parents or guardians who routinely fail to meet this responsibility will be notified by the school, contacted by the Student Services Department, and in the case of repeated occurrences, may be reported to the appropriate community agency, including law enforcement. Additionally, parents or guardians may be cited, on behalf of their children, for trespassing or loitering. In case of emergency, all children should be encouraged to go directly to the school office at any time before or after school.

Emergency Procedures

If the superintendent declares an emergency during school hours, all students and employees are required to follow the emergency procedures outlined in the Comprehensive Site Safety Plan (CSSP) and instructions given to them by the superintendent or designee. Students will not be released to parents or guardians during a shelter-in-place or lockdown until it is considered safe. If the parent or legal guardian whose name appears on district records cannot be contacted, students may be released to an authorized adult or another school or safe site under the supervision of district employees until the parent or guardian is contacted.

Comprehensive School Safety Plans (CSSP)

Each San José Unified school has a Comprehensive School Safety Plan (CSSP) that is reviewed and updated annually. This plan is standardized to promote coordinated efforts within the district, practical for adapting to the unique features of each school, and flexible to meet the needs of any disaster. Principals also coordinate with school and district staff, external agencies, and the Schoolsite Council or a designated safety subcommittee to develop school-specific plans and procedures that can be effectively used in an emergency. Appropriate drills and training are provided to help all people become familiar with their responsibilities. Please contact your school to review its Comprehensive School Safety Plan.

Fingerprinting and Background Checks

All volunteers at San José Unified schools and sites are required to clear a fingerprint and background check by the Department of Justice and Federal Bureau of Investigation (FBI) and submit tuberculosis test results to the district. If you have questions regarding this process, please contact Human Resources at 408-535-6139.

Use of Bicycles, Scooters, Skateboards, etc.

Students who ride bicycles, scooters, skateboards, or other alternative personal modes of transportation to and from school must wear helmets, observe all applicable safety laws and rules, and display courtesy toward other riders and pedestrians at all times.

Students not wearing their helmets are subject to citation and other disciplinary action by the school. Once on campus, all bicycles and scooters must only be parked in designated areas. Students may contact the school administration to request special accommodations.



SAFETY AND SECURITY

Law Enforcement on Campus

Law enforcement agencies may interview a student on campus when necessary but must follow strict criteria. Section 625.6 of the Welfare and Institutions Code states the provisions for conducting a custodial interrogation with a youth 17 years of age or younger.

Before a custodial interrogation by a peace officer and before waiving any Miranda rights, a youth 17 years of age or younger must consult with legal counsel in person, by telephone, or by video conference. This consultation may not be waived. The prior consultation requirement does not apply to the admissibility of a statement of a youth 17 years of age or younger if both of the following criteria are met: (1) the officer who questioned the youth reasonably believed the information the officer sought was necessary to protect life or property from an imminent threat and (2) the officer's questions were limited to those questions that were reasonably necessary to obtain that information.

Under circumstances where a student is a victim of certain emotionally sensitive crimes, the student can request a school administrator, Child Welfare and Attendance (CWA) Counselor, the school nurse, and/or the school counselor be present for emotional support during the interview. The school is required to notify the parent/guardian if a student is released to an officer, except when the child is placed into custody as a victim of child abuse or neglect.

Sex Offender Registration (Megan's Law)

State law mandates that law enforcement take the responsibility to notify the public concerning serious and high-risk sex offender registrants. Parent/guardian or staff concerns regarding the location of sex offender registrants should be addressed to the San José Police Department.

- For questions, please call the SJPD Sexual Assault Investigation Unit at 408-277-4102.
- To view Department of Justice information on sex offenders at the San José Police Department, please visit them at 201 West Mission Street, San José, CA, 95110.
- The district's liaison with the San José Police Department is the San José Unified Chief of Police, who can be reached at 408-535-6080.
- The district's Director of Student Services coordinates the release of information from the San José Police Department to district employees and schools.

Community Access to Schools

Our school grounds are open for community use during daylight hours when school is not in session, unless access is restricted for student safety. Permits are issued for group use. Please visit go.sjUSD.org/rent for more information. The following are prohibited: alcoholic beverages, golf practice, illegal drugs, model airplanes, drones, unauthorized vehicles, archery, skateboards, smoking, firearms, skating, rockets, animals, climbing on roof or covered walkways, parking in unauthorized areas, and more. All Board of Education policies, Education and Penal Code, and California Vehicle Code are enforced.

Motor Vehicles on Campus

Board policy authorizes school administrators to establish all necessary regulations pertaining to the operation of all vehicles on their campus, including the issuance of traffic citations. All high schools will provide specific rules concerning the use of cars on their campuses. Vehicle operators must obey regular traffic laws, posted regulations, or verbal directions given by school personnel whenever driving on or about school premises. Non-licensed drivers run the risk of having their cars impounded.



TRANSPORTATION

Eligibility

San José Unified offers fee-based school bus transportation to eligible students. Students must live inside San José Unified's boundaries to be eligible. Elementary students who live more than 1.5 miles from their school of attendance are eligible for transportation at most elementary schools. Middle and high school students who live more than 3.5 miles from their school are eligible for transportation at most middle and high schools. Elementary students attending magnet programs at Hacienda Science/Environmental Magnet, Hammer Montessori at Galarza Elementary, or River Glen K-8 who qualify as socio-economic status students under the Voluntary Integration Plan and live more than 1.5 miles from their school are eligible for transportation.

Application

Families can complete an application to apply for transportation. The application must be completed and approved annually before the student can receive transportation services. Once approved, the student will be assigned a bus pass and can use the service. Families may be required to pay a fee to receive transportation services. Service will be provided by school bus, VTA, or other means of transportation at the district's discretion. Applications will not be approved for families with unpaid fees from the previous year. You can complete an application at go.sjUSD.org/transportation or visit our Enrollment Center at 855 Lenzen Avenue, San José, CA 95126.

Afternoon Pick-Up

Parents/guardians should be ready to meet their students at least five minutes before the published afternoon arrival time. Kindergartners are expected to be met at the bus stop in the afternoon. Parents/guardians of older students may also arrange with the bus driver to require their students to be met at the bus stop. If a parent or guardian is not at the bus stop at the published stop time and the student is unwilling to depart the bus, is not self-release (see below), or has a completed Hold on the Bus form on file, the student will be brought to a holding school (see below).

Self-Release

With the exception of kindergartners and some students with special needs, all students are considered to be self-release and able to walk home by themselves. Self-release students will be released by the bus driver at the published arrival time, regardless of whether a parent or guardian is at the stop to meet the child, unless a Hold on the Bus form has been completed and signed by a transportation administrator. Students with special needs with a self-release on file are expected to use transitional or community/corner stops which have been defined in an IEP meeting with a representative from transportation present.

Holding Schools

Kindergartners, some students with special needs, and students with a "Hold on the Bus" form on file may be taken to a holding school when they are not met by a parent/guardian at the bus stop. Families are responsible for picking their students up at the holding school, and transportation will not be provided back to the student's stop. Families whose student has been taken to a holding school more than once or has not been picked up in a reasonable amount of time may be referred to the authorities.

Changes to Routes

Occasionally, the Transportation Department will make changes to bus routes. Students will be notified of these changes via an email or text message, a telephone call from the driver, and/or a paper notification provided by the bus driver. Families are asked to maintain current telephone numbers and addresses with the Enrollment Center to ensure they receive timely notification of route changes and other important transportation information.

Changes to Stops

A student is required to board and disembark every day from the bus at the bus stop that was assigned to them by the Transportation Department and is printed on their bus pass or the driver's roster. If a student wants to board at a different stop on a certain day, the parent must call transportation at 408-535-6185 for authorization. To disembark at a different stop on a certain day, the student must provide the bus driver with a note from their parent/guardian that is signed by the principal or designee of their school.

Safety and Monitoring

Students are required to wear seat belts at all times when riding in a vehicle equipped with seat belts. Most vehicles are also equipped with video and audio surveillance systems. For safety and monitoring, vehicles are equipped with GPS tracking systems. Logs from these systems allow us to check where a vehicle was at any point in time on the route.



TRANSPORTATION

Student Conduct

In order to protect their riding privileges, students must abide by these Board-approved rules while on the vehicle:

1. Riders must always follow the instructions and directions of the driver.
2. Riders should arrive at the stop on time and stand in a safe place to wait quietly for the vehicle.
3. Riders must enter the vehicle in an orderly manner and go directly to their seats.
4. Riders must remain seated while the vehicle is in motion and must not obstruct the aisle with their legs, feet, or other objects. When reaching their destination, riders must remain seated until the vehicle stops and only then enter the aisle and go directly to the exit.
5. Riders should be courteous to the driver and to fellow passengers.
6. Because serious safety hazards can result from noise or behavior that distracts the driver, loud talking, laughing, yelling, singing, whistling, scuffling, throwing objects, smoking, eating, drinking, standing, and changing seats are prohibited actions which may lead to suspension of riding privileges.
7. No part of the body should be put out of the window. Nothing should be thrown from the vehicle.
8. Riders must help keep the vehicle and the area around the stop clean. Riders must not damage or deface the vehicle or tamper with bus equipment and are responsible for the costs of any necessary repairs or replacement.
9. No animals are allowed on the vehicle without express permission from the principal or designee.
10. Riders should be alert for traffic when leaving the vehicle.
11. All passengers in a school bus or van must use the passenger restraint system, if so equipped.

Additional Rules of Conduct on Valley Transit Authority (VTA)

- Any passenger failing to produce the correct ticket or fare may be refused entry or removed.
- Any person refusing to leave a coach or train at the request of the coach operator may be physically removed by the operator, a police officer, VTA services officer, or other authorized VTA representative.

Emergency Guidelines

In the event of a severe emergency (such as a major earthquake), the following general guidelines will be implemented. Parents should talk with students about what to do in an emergency when they are at home.

If the student is not on the vehicle at the time of the emergency, and near home, not at school:

- He/she should proceed directly home.
- If it is not safe at home, proceed to the nearest school and ask for help from the school office.

If the student is on the vehicle at the time of the emergency going to school:

- The bus will attempt to reach your student's school.
- If the vehicle cannot reach the student's school, the vehicle will proceed to another school site or designated shelter. Administration will sign for students on the driver's roster and take them into their care. A parent should go to their nearest San José Unified school and work with the administration to locate their child.

If the student is on the vehicle at the time of the emergency going home:

- The vehicle will attempt to reach your student's stop.
- If the student is on self-release, they will sign themselves out on a roster.
- If a parent/guardian or other responsible person meets the student at the stop, they will need to provide identification to the driver and sign the student out on the roster.
- If the vehicle cannot reach the student's stop, the vehicle will proceed to a school site or designated shelter. Administration will sign for the students on the driver's roster and take them into their care. A parent should go to their nearest San José Unified school and work with administration to locate their child.

Additional information and policies can be found in the "Information for Parents Receiving Special Education Transportation Services" booklet provided by the driver or online at go.sjUSD.org/transportation.



POLICIES AND REGULATIONS

San José Unified is governed by policies and regulations established by our Board of Education, the California Education Code, and Federal Law. Some of these policies can be found in this handbook. To review complete policies and regulations, please visit our website at www.sjUSD.org, click on Board of Education, and follow the instructions to view board policies and regulations.

Notice of Non-Discrimination

San José Unified School District prohibits discrimination, harassment (including sexual harassment), intimidation or bullying on the basis of actual or perceived age, sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, immigration status, nationality, religion, marital, parental or family status, color, mental or physical disability, 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 its educational programs and activities or employment practices as required by Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Section 504 or the Rehabilitation Act of 1973, and the Vocational Education Act of 1976. The lack of English language skills will not be a barrier to admission and participation in the district's programs. The Board will promote programs that ensure that any discriminatory practices are eliminated in all district activities. Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported must report the incident to the coordinator or principal, whether or not the victim files a complaint. When a school employee witnesses an act of discrimination, harassment, intimidation, or bullying, he or she should take immediate steps to intervene when it is safe to do so. Students, parents, employees, or others who wish for further information about these regulations, or who wish to file a complaint, should contact the following persons:

For Title IX, discrimination or equity complaints involving students:

Director of Student Services/Student Title IX Coordinator, Michelle Reghitto 408-535-6080,
UniformComplaint@sjUSD.org, 855 Lenzen Avenue, San José, CA 95126

For Title IX, discrimination or equity complaints involving staff:

Assistant Superintendent, Administrative Services, J. Dominic Bejarano, 408-535-6139,
jbejarano@sjUSD.org, 855 Lenzen Avenue, San José, CA 95126

For Section 504 Compliance complaints involving students:

Director of Special Education/SJUSD 504 Coordinator, Chris Metcalfe
504@sjUSD.org, 855 Lenzen Avenue, San José, CA 95126

For facilities or other ADA complaints:

Director of Maintenance, Grounds, and Operations, Denny Pini, 408-535-6000,
dpini@sjUSD.org, 855 Lenzen Avenue, San José, CA 95126

Please refer to Board Policy 0410 (adopted August 9, 2001, revised November 16, 2023).

Title IX: Gender Equity

Title IX of the Education Amendments of 1972 is a federal law prohibiting gender discrimination in any school receiving federal funds. The text of the law states: No person in the United States shall, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.

Please refer to Administrative Regulation 5145.71 (adopted August 24, 2023), Board Policy and Administrative Regulation 6145 (adopted September 20, 2001, revised August 24, 2023), Board Policy and Administrative Regulation 6145.2 (adopted September 20, 2001, revised January 14, 2014).

Nondiscrimination/Harassment

As stated above, the Board prohibits discrimination based on gender, gender identity, gender expression, intersex, transgender, gender nonconforming and nonbinary students. Complaints alleging discrimination, harassment, or bullying based on a student's actual sex or perceived gender identity, gender expression, or sexual orientation are to be handled in the same manner as other discrimination/harassment/bullying complaints. Please refer to *Board Policy 5145.3* for additional information, including the measures taken to prevent discrimination, processes for filing and responding to complaints, and key definitions.



POLICIES AND REGULATIONS

Sexual Harassment Policy

The Governing Board is committed to maintaining a 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 anyone who reports, files a complaint, testifies about, or otherwise supports a complaint 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.

Title IX Coordinator
Director of Student Services
855 Lenzen Avenue
(408) 535-6000
UniformComplaint@sjusd.org

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, and other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex. Please see Education Code 212.5; 5 CCR 4916:

- Unwelcome leering, sexual flirtations or propositions
- Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- Graphic verbal comments about an individual's body, or overly personal conversation
- Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures or computer-generated images of a sexual nature
- Spreading sexual rumors
- Teasing or sexual remarks about students enrolled in a predominantly single-sex class
- Massaging, grabbing, fondling, stroking, or brushing the body
- Touching an individual's body or clothes in a sexual way
- Purposefully cornering or blocking normal movements or any physical interference with school activities when directed at an individual on the basis of sex
- Displaying sexually suggestive objects
- Sexual assault, sexual battery, or sexual coercion
- Electronic communications containing comments, words, or images described above

And/or under the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or condition of an individual's academic status or progress.
- Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting a student.
- The conduct has the purpose or effect of having a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment.
- Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through the school.

Any student who feels they are being or have been subjected to sexual harassment on school grounds or at a school-sponsored or school-related activity (e.g., by a visiting athlete or coach) should immediately contact a school employee. A school employee to whom a complaint is made must, within 24 hours of his/her getting the complaint, report it to the principal.

Any school employee who observes any incident of sexual harassment on any student must immediately report their observation to the principal, regardless of whether the victim makes a complaint. If the alleged harasser is the principal, the employee may report the complaint or their observation of the incident to the superintendent or designee required to investigate the complaint.



POLICIES AND REGULATIONS

The principal, superintendent, or designee must ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulations. When the superintendent or designee has determined that harassment has occurred, they must take prompt, appropriate action to end it and address its effects on the victim. *Please refer to Board Policy and Administrative Regulation 4119.11 (adopted September 20, 2001, revised April 10, 2014) and Board Policy and Administrative Regulation 5145.7 (adopted September 20, 2001, revised November 16, 2023).*

Hate-Motivated Behavior

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

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

Any student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal or designee, the district's compliance officer, or any other staff member. Any staff member notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

When appropriate, students who engage in hate-motivated behavior shall be disciplined. As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and those who exhibit such behavior.

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior appropriately.

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights. *Please refer to Board Policy 5145.9 (adopted September 20, 2001, revised January 18, 2024).*

Suicide Prevention

Please refer to Board Policy and Administrative Regulation 5141.52 (adopted September 20, 2001, revised March 7, 2024).

The Superintendent or designee shall ensure that staff receive appropriate training to recognize suicide risk, warning signs, and protective factors, as well as the district's suicide prevention policy and procedure. It is important for parents/guardians to be aware of the following:

1. There is a higher risk of suicide among certain groups, including but not limited to: students who are bereaved by suicide; students with disabilities, mental illness or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender or questioning.
2. Warning signs may include depression, emotional distress, or suicidal intentions, such as changes in the student's personality or behavior and verbalizations of hopelessness or suicidal intent.
3. Protective factors that may help to decrease a student's suicide risk include resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school and community.
4. Every statement regarding suicidal intent should be taken seriously
5. The district has resources to assist parent/guardians in need of further mental health resources. For more information please visit our website sjusd.org/resources/student-resources/suicide-prevention



COMPLAINT PROCEDURES

Resolving Issues and Concerns

During a student's education, parents and guardians may have concerns and/or conflicts. We encourage families to follow our process for addressing concerns. Our teachers, principals, and employees are ready to listen, review options, and help find a resolution. Please follow the process below when you have a concern or conflict. We appreciate your adherence to this process so we can ensure all concerns are addressed.

1. Contact the employee: Maintaining open communication with school staff is essential to creating a positive learning environment. We recommend contacting the SJUSD employee in order to resolve the concern as soon as possible.
2. Contact the principal or supervisor: If you have been unable to resolve the matter by talking to the employee, let that person know you are going to contact their supervisor. Make an appointment with the principal or supervisor to discuss the concern.
3. Contact the district: If you have been unable to resolve your concern by talking with the employee or supervisor, let the principal or supervisor know you will be contacting the district and filing a formal complaint. You can find the information on filing a complaint, including complaint forms at sjusd.org.

Please note matters cannot be escalated to the next step in the process until you have fulfilled the first step. Matters that are escalated to the principal or supervisor will be reviewed to determine the applicable policies and ensure those policies were appropriately applied. Policy matters are governed by the San José Unified Board of Education, and district employees are unable to change policies to address specific matters. If you would like to share your feedback on a district policy, you may do so on our website at www.sjusd.org.

Williams Complaints

Please refer to Administrative Regulation 1312.4 (adopted March 24, 2005, revised December 14, 2023).

A complaint form may be obtained online at go.sjusd.org/complaint, from the school office, or from the district office. Complete the complaint form and submit it to the school where the identified concern exists in order to resolve the following:

- Complaints regarding the insufficiency of textbooks and instructional materials. There should be sufficient textbooks and instructional materials for students. Each student, including English learners, must have a textbook or instructional material, or both, to use in class and take home to complete required homework assignments.
- Complaints regarding the condition of school facilities. School facilities must be clean and safe (not pose an emergency or urgent threat to the health or safety of students or staff) and school restrooms must be cleaned, maintained and kept open. Middle and High schools make available free of cost, adequate supply of menstrual products.
- Complaints regarding teacher vacancy or misassignment. At the beginning of the semester, a certificated teacher is assigned to teach each class with the appropriate credential to teach English learners (in a class with one or more English learners).

Uniform Complaint Procedures (UCP)

Please refer to Board Policy and Administrative Regulation 1312.3 (adopted September 20, 2001, revised December 14, 2023).

The San José Unified School District is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group.



COMPLAINT PROCEDURES

Complaints Subject to UCP

- Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243)
- Accommodations for Pregnant and Parenting Students
- Adult Education Programs
- After-School Education and Safety (ASES)
- Agricultural Career Technical Education
- Career Technical and Technical Education, Career Technical and Technical Training Programs
- Education and graduation requirements for students in foster care, students experiencing homelessness, students from military families, and students formerly in juvenile court school, students participating in a newcomer program
- Consolidated Categorical Aid Programs
- Child Care and Development Programs
- Compensatory Education
- Course Periods Without Educational Content
- Every Student Succeeds Act
- Local Control and Accountability Plan (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Student Fees
- Reasonable Accommodations for a Lactating Student
- Regional Occupational Centers and Programs
- School Plans for Student Achievement (SPSA)
- Schoolsite Councils (SSC)
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
- Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to the policy
- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

A student enrolled in a school in our district is not required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

Additional Information

We post a standardized notice of the educational and graduation requirements of students in foster care, students who experience homelessness, former juvenile court students now enrolled in a school district, and students in military families as specified in *Education Code Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2*. This notice includes complaint process information, as applicable.

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



COMPLAINT PROCEDURES

Contact Information

The staff member listed below is responsible to receive UCP complaints in our agency and is knowledgeable about the laws and programs they are assigned to investigate.

Michelle Reghitto, Director, Student Services
855 Lenzen Avenue, San José, CA 95126
408-535-6000
UniformComplaint@sjusd.org

Complaints must be filed no later than one year from the date the alleged violation occurred. For complaints relating to the 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 our agency. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged discrimination, harassment, intimidation or bullying or the date the complainant first obtained knowledge of the facts of the alleged conduct. A student fees and/or an LCAP complaint may be filed anonymously; however, the complainant must provide evidence or information leading to evidence to support the complaint.

A complaint form can be obtained online at go.sjusd.org/complaint or at the San José Unified district office at 855 Lenzen Ave, San José, CA 95126. Complaints will be investigated and a written report with a decision will be sent to the complainant within sixty days of the receipt of the complaint. This period may be extended by written agreement of the complainant. The person responsible for investigating the complaint must conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our decision of complaints regarding specific programs and activities subject to the UCP, student fees, and the LCAP to CDE by filing a written appeal within 30 calendar days of receiving our decision. The appeal must be accompanied by a copy of the originally filed complaint and a copy of our decision.

We advise any complainant of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. Copies of our Uniform Complaint Procedures are available free of charge.

San José Police Department Complaints

The office of the Independent Police Auditor is a government agency separate and independent of the San José Police Department. The office strives to increase confidence in the police department by listening to the community, by suggesting good policy changes, and by making sure that the Department addresses officer misconduct. If you have been mistreated by a San José Police Department officer, have seen someone else be mistreated by a San José Police Department officer, or have information on an event involving police misconduct, you can file a complaint with the Independent Police Auditor. There are five ways to file a complaint:

1. Online at <https://www.sanjoseca.gov/your-government/appointees/independent-police-auditor/filing-a-complaint>
2. By phone to 408-794-6226
3. By email to ipa@sanjoseca.gov
4. By mail to 96 N. Third St., Suite 150, San José, CA 95112
5. In person at 96 N. Third St., Suite 150, San José, CA 95112



CONTACTING SAN JOSÉ UNIFIED

At San José Unified, we are committed to providing you and your student a quality education; remaining steadfast in our mission to elevate opportunities for all. Reaching this goal often involves working hand in hand with parents/guardians. Any parents/guardians who may have questions about their child's progress or need help with understanding procedures that are in place by the school district, are invited to reach out to employees at any time. Should a conflict arise, please follow the graph on the following page to help maneuver the proper steps to take in resolving any concerns.

If you need additional resources after meeting with your teacher and school administrator, please use the information provided below to contact the District Office based on your concern.

Spanish-speaking staff are available in each of our offices.

Department	Person to Contact	Phone
Curriculum and Instruction: TK-5 <ul style="list-style-type: none"> Curriculum EL and Bilingual Programs 	Rachel Powell Director of Curriculum, Instruction and English Learner Services	408-535-6000 ext. 14219
Curriculum and Instruction: 6-12 <ul style="list-style-type: none"> Curriculum EL and Bilingual Programs 	Melitta Nerhood Director of Curriculum, Instruction and English Learners Services/Alternative Education	408-535-6000 ext. 14116
Enrollment <ul style="list-style-type: none"> Student placement School choice 	Jill Case Director of Student Operations	408-535-6000 ext. 14601
Facilities and Grounds <ul style="list-style-type: none"> Building Maintenance/Security Construction/Modernization Landscaping/Fields 	Denny Pini Director of Maintenance, Grounds and Operations	408-535-6000 ext. 19416
Procurement <ul style="list-style-type: none"> Construction/Modernization 	Tracy Morrison Director of Procurement: Construction, Contracts, and Purchasing	408-535-6000
Family Engagement <ul style="list-style-type: none"> Parent education Programs 	Rigo Palacios Manager, Family Engagement	408-535-6000 ext. 14324
Human Resources <ul style="list-style-type: none"> Employee matters Hiring 	Peter Park Director of Human Resources	408-535-6000
Public Information <ul style="list-style-type: none"> Media requests Public Records requests General inquiries and feedback 	Esmé Bautista Director of Communications and Engagement	408-535-6000 ext. 13012 pio@sjusd.org publicrecords@sjusd.org
Safety <ul style="list-style-type: none"> Safety situations Equipment 	J. Dominic Bejarano Assistant Superintendent of Administrative Services	408-535 -6000 riskmanagement@sjusd.org
Special Education <ul style="list-style-type: none"> IEPs 504s 	Christopher Metcalfe Director of Special Education	408-535-6000 special@sjusd.org
Student Nutrition Services <ul style="list-style-type: none"> Nutrition 	Janet Wolk Director of Student Nutrition Services	408-535-6000 sns@sjusd.org
Student Services <ul style="list-style-type: none"> Discipline Health Counseling 	Michelle Reghitto Director of Student Services	408-535-6000 studentservices@sjusd.org
Transportation <ul style="list-style-type: none"> Bus drivers and routes Field Trips 	Corrin Reynolds Manager of Transportation	408-535-6185 transportation@sjusd.org



ADVISORY COMMITTEES AND GROUPS

San José Unified's advisory committees and groups offer opportunities for parents, teachers, students, and community members to make a significant impact on the district and our schools. We value input from all our stakeholders on key issues and initiatives, and we encourage you to get involved. Learn more about these opportunities below or by visiting go.sjusd.org/groups and let us know if you are interested in participating.

All committee agendas, minutes, and documents are subject to public records requests. Meetings are open to the public and generally held on Monday evenings at 6:00 pm, except for the Advisory Committee on Use of SJPJ Officers, which meets on Thursdays at 6:00 pm. Meetings are held at the District Office at 855 Lenzen Avenue, San José, CA 95126. Please check www.sjusd.org/events for the most current dates, times, and locations.

Advisory Committee on Use of SJPJ Officers

The Advisory Committee on Use of San José Police Department Officers was formed in December 2021 to review San José Unified's use of SJPJ officers, evaluate whether the use of SJPJ could be performed by non-law enforcement personnel, and when practicable, identify non-law enforcement options that could be implemented. For more information, please visit go.sjusd.org/acp.

Budget Advisory Committee (BAC)

The BAC advises the superintendent regarding budget development for each fiscal year. The superintendent weighs the advice of the committee along with the priorities of the district Strategic Plan in preparing a final budget for recommendation to the Board of Education. For more information, please visit go.sjusd.org/bac.

Community Advisory Committee for Special Education (CAC-SE)

The purpose of the CAC-SE is to advise and work collaboratively with the Special Education Local Plan Area (SELPA) on special education priorities, parent education, the importance of regular school attendance, and supporting community involvement in the parent advisory committee. CAC-SE advises the SELPA on the development, amendment, and review of the local plan. For more information, please check the SELPA www.sccoe.org/selpa or call 408-535-6030.

District English Learners Advisory Committee (DELAC)

The DELAC meets regularly to advise the district on goals and objectives, and to assist in updating the district-wide plan for English Learners' education and give input on San José Unified's Local Control Accountability Plan (LCAP). Each school has an English Learners Advisory Committee (SELAC), which elects one of its members to serve on the DELAC. For more information in English or Spanish, please call 408-535-6000 and ask for the Family Engagement office.

Intradistrict Leadership Committee (ILC)

The ILC is a group comprised of student body officers from our six comprehensive high schools. These student leaders come together to share information, collaborate on events and initiatives, and offer input to their schools and the district on a variety of student-related issues. High school students should contact their ASB representatives for more information.

Measure Y Parcel Tax Oversight Committee (PTOC)

The PTOC will typically meet 2-4 times per year to review the district's use of revenue from the 2016 Measure Y Parcel Tax and ensure that the intent of the voters who approved the measure is being met. For more information, please visit go.sjusd.org/measurey.

Voluntary Integration Plan Committee (VIP)

The VIP Committee advises the board regarding the implementation of the district's Voluntary Integration Plan and provides input on the LCAP. VIP is made up of district staff, principals, teachers, and parents from all areas of the district. The committee meets regularly to provide input about integration activities and whether adjustments to district policies, programs, or services should be made. For more information, please call 408-535-6000 or visit go.sjusd.org/vipc.

Please refer to Board Policy and Administrative Regulation 6020, revised March 1, 2018.



SCHOOLS DIRECTORY

Our Enrollment Center is open Monday, Wednesday, Thursday, and Friday from 8:00 am to 4:00 pm, and Tuesday from 8:00 am to 2:00 pm at the District Office, 855 Lenzen Avenue, San José, CA 95126. For information about enrollment, registration, transfers, and more, please visit go.sjUSD.org/enroll or contact us at 408-535-6412. To see our school boundaries, visit go.sjUSD.org/find.

PHONE	SCHOOL	STREET ADDRESS/ZIP	PRINCIPAL
(408) 535-6300	Abraham Lincoln High	555 Dana Avenue/95126	Joseph Heffernan
(408) 535-6205	Allen at Steinbeck Elementary	820 Steinbeck Drive/95123	Kristina Chmelka
(408) 535-6207	Almaden Elementary	1295 Dentwood Drive/95118	Lisa Montes
(408) 535-6209	Anne Darling Elementary	333 N. 33rd Street/95133	Samantha Araiza
(408) 535-6213	Booksin Elementary	1590 Dry Creek Road/95125	Felicia Tan
(408) 535-6270	Bret Harte Middle	7050 Bret Harte Drive/95120	George Vuong
(408) 535-6285	Broadway High	4825 Speak Lane/95118	Jesús Radillo
(408) 535-6391	Canoas Elementary	880 Wren Drive/95125	Allison Pruitt
(408) 535-6385	Castillero Middle	6384 Leyland Park Drive/95120	Crystal Campbell
(408) 535-6221	Empire Gardens Elementary	1060 E. Empire Street/95112	Christina Silvas Centeno
(408) 535-6671	Ernesto Galarza Elementary	1610 Bird Avenue/95125	Elizabeth Brush
(408) 535-6225	Gardner Elementary	502 Illinois Avenue/95125	Renee Rice
(408) 535-6227	Grant Elementary	470 E. Jackson Street/95112	Jessica Sun-Gonzalez
(408) 535-6317	Graystone Elementary	6982 Shearwater Drive/95120	Anthony Roe
(408) 535-6340	Gunderson High	622 Gaundabert Lane/95136	Anisha Dalal
(408) 535-6259	Hacienda Science/Environmental Magnet	1290 Kimberly Drive/95118	Todd Weber
(408) 535-6671	Hammer Montessori at Galarza Elementary	1610 Bird Avenue/95125	Stephen Bingham
(408) 535-6274	Herbert Hoover Middle	1635 Park Avenue/95126	Andrew Anstead
(408) 535-6237	Horace Mann Elementary	55 N. 7th Street/95112	Art Gonzalez
(408) 535-6281	John Muir Middle	1260 Branham Lane/95118	Celeste Bates
(408) 535-6290	Leland High	6677 Camden Avenue/95120	Harveen Bal
(408) 535-6539	Liberty Alternative School	4849 Pearl Avenue/95136	Mary Ann Sy
(408) 535-6297	Los Alamitos Elementary	6130 Silberman Drive/95120	Thomas Rousseau
(408) 535-6243	Lowell Elementary	625 S. 7th Street/95112	Katherine Powell
(408) 535-6257	Merritt Trace Elementary	651 Dana Avenue/95126	Karina Alvarez
(408) 535-6267	Muwekma Ohlone Middle	850 N. 2nd Street/95112	Vanessa Dean Garcia
(408) 535-6310	Pioneer High	1290 Blossom Hill Road/95118	Brad Craycroft
(408) 535-6287	Rachel Carson Elementary	4245 Meg Drive/95136	Matthew Wheeler
(408) 535-6247	Reed Elementary	1524 Jacob Avenue/95118	Jennifer Ponzio
(408) 535-6240	River Glen K-8	1088 Broadway Avenue/95125	Zoila Esquivel Moreno
(408) 535-6320	San José High	275 N. 24th Street/95116	Jeannette Harding
(408) 535-6253	Schallenberger Elementary	1280 Koch Lane/95125	Joe Kolda
(408) 535-6245	Selma Olinder Elementary	890 E. William Street/95116	Nelly Aguirre
(408) 535-6251	Simonds Elementary	6515 Grapevine Way/95120	Kiera Strockis
(408) 535-6255	Terrell Elementary	3925 Pearl Avenue/95136	Jeanne-Marie Miller
(408) 535-6211	Walter L. Bachrodt Elementary	102 Sonora Avenue/95110	Tina Ybarra
(408) 535-6261	Washington Elementary	100 Oak Street/95110	Maricela Alcala-Franco
(408) 535-6196	Williams Elementary	1150 Rajkovich Way/95120	Devin Blizzard
(408) 535-6265	Willow Glen Elementary	1425 Lincoln Avenue/95125	Kelli Knapp-Rahn
(408) 535-6277	Willow Glen Middle	2105 Cottle Avenue/95125	Lindsey Beall
(408) 535-6330	Willow Glen High	2001 Cottle Avenue/95125	Amy Hanna



ASBESTOS, CHEMICALS, HERBICIDES AND PESTICIDES

Lead Testing

San José Unified regularly monitors the amount of lead in the district's drinking water and goes above and beyond state requirements to maintain safe levels. District staff test at least two water outlets at all school and office sites at least twice per year, in collaboration with professional consultants. Outlets that test above federal and state-mandated thresholds are automatically re-tested. If an outlet tests above the threshold in re-testing, our facilities team takes immediate action to close the outlet and perform an investigation. San José Unified does not use lead pipes at its schools and other sites.

Asbestos

In 1986, the president signed the Asbestos Hazard Emergency Response Act (AHERA) into law, requiring districts to annually notify employees, building occupants or their parents or guardians, and outside vendors regarding AHERA related activities. This includes building inspections, re-inspections, response actions and post-response action activities, including periodic re-inspections and surveillance activities that are planned or are in progress.

The three-year re-inspections were completed in May 2023. All reports are available by contacting Albert Lizarde, Manager, Maintenance and Grounds at 408-535-6000.

Chemicals, Herbicides, and Pesticides

According to San José Unified policy, the least toxic pest management practices are the preferred method of managing pests. To reduce children's exposure to toxic pesticides, the district takes the necessary steps pursuant to state law to adopt the least toxic pest management practices at all sites. The district's Integrated Pest Management (IPM) Program begins with education, habitat management, alteration of maintenance activities, physical, geological, and then chemical controls. Regular monitoring may involve visual observation, use of tracking powders, baiting and trapping; in any case, this method will be used continuously and regularly.

When using chemical control for pest management, the district will use a licensed pest control company to administer pesticides. A notice will be posted 72 hours before treatment is administered, except in cases where an emergency application may be necessary. At preschool and kindergarten sites, the notice will be posted 96 hours prior to treatment. Parents/guardians may request prior notification of individual pesticide applications at their school. If you would like to be notified every time we apply a pesticide/herbicide or if you have any questions, please contact our Operations Department at 408-535-6166. Once we have your request on file, we will mail or email you notifications prior to pesticide application use.



ASBESTOS, CHEMICALS, HERBICIDES, AND PESTICIDES

A list of pesticides/herbicides that may be used to treat the interior or exterior of the building, fence lines, and dirt areas for ants, cockroaches, rodents, geese, termites, and weeds is provided below for your information.

<i>Exempted "Generally regarded as safe" (GRAS) products. No pre-notice or posting required.</i>			
TRADE NAME	ACTIVE INGREDIENT	EPA REG. #	MANUFACTURER
Essentria IC3 Liquid	Natural Plant Oils: Rosemary, Wintergreen, Peppermint, Vanillin	EXEMPT	Zoecon
Essentria IC Pro	Sodium Lauryl Sulfate, Geraniol, Clove Oil, Cornmint Oil	EXEMPT	Zoecon
Essentria All Purpose	Natural Plant Oils: Rosemary, Peppermint, Vanillin	EXEMPT	Zoecon
Essentria Exempt Granules	Natural Plant Oils and Cedar Oil	EXEMPT	Zoecon
Proverde	Geraniol Cinnamon Oil	EXEMPT	Evanco Technologies
<i>Non-Exempted "Healthy Schools Act" compliance required. Certain issues require these products for proper control.</i>			
TRADE NAME	ACTIVE INGREDIENT	EPA REG. #	MANUFACTURER
Advion Ant Bait Gel	Indoxacarb 0.05%	100-1498	Syngenta
Advance Ant Bait	Abamectin 81	499-370	Whitmire Micro-Gen
Alpine WSG	N-methy-N	499-561	Whitmire Micro-Gen
Alpine Flea and Bed Bug	Dinotefuran	499-540	Whitmire Micro-Gen
Avert Roach Bait	Abamectin B1	499-322	Whitmire Micro-Gen
Borid Dust	Boric acid	44313-4-AA	US Borax
Ditrac All-Weather Blox	Diphacinone 0.005%	12455-80	Bell Laboratories, Inc.
Eco PCO-WPX	Thyme Oil, Rosemary Oil, Pyrethrin 0.5% Botanical	67425-25	Ecosmart Technologies
Evergreen Pyrethrins	Pyrethrins 5%	1021-2560	MGK
Maxforce FC Roach Gel	Fipronil 0.01%	432-1259	Bayer
Maxforce FC Ant Bait Gel	Fipronil 0.01%	432-1264	Bayer
Phantom	Chlorfenapyr	241-392-AA	BASF
PT565+ aerosol	Pyrethrins+Allethrin	499-310	Whitmire Micro-Gen
Suspend SC insect.	Deltamethrin 0.02%	432-763-ZB	Bayer
Tempo Ultra WP	Cyfluthrin	432-1377	Bayer
Termidor SC	Fipronil 9.1%	7969-210	BASF
Tengard SFR	Permethrin 36.8%	70506-6	UPI
Transport GHP	Acetamiprid+Bifenthrin	8033-96-279	FMC
Wilco Gopher Bait type 2	Diphacinone	36029-24	Wilco Distributors



APPENDIX

Board Policy 6020: Parent Involvement

Adopted March 25, 2010, revised March 1, 2018

The district recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall consult with parents/guardians in the development of meaningful opportunities for them to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The district's local control and accountability plan shall include goals and strategies for parent/guardian involvement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities.

The Superintendent or designee shall regularly evaluate and report to the Governing Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, community members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

Title I Schools

The Superintendent or designee shall involve parents/guardians in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians.

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities. The Superintendent or designee shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians
2. Support for programs that reach parent/guardians at home, in the community, and at school
3. Dissemination of information on best practices focused on parents/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

The Superintendent or designee shall ensure that each school receiving Title I funds, develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502.



APPENDIX

Administrative Regulation 6020: Parent Involvement

Adopted March 25, 2010, revised March 1, 2018

SJUSD encourages consistent parent involvement among all schools in the district. To ensure that parents/guardians of students participating in Title I programs are provided with opportunities to be involved in their children's education, the district shall:

1. Involve parents/guardians in the joint development of a district plan that meets the requirements of 20 USC 6312 and in the development of school supports and improvement plans pursuant to 20 USC 6311
The Superintendent or designee may:
 - a. In accordance with Education Code 52063, establish a district-level parent advisory committee and, as applicable, an English learner parent advisory committee to review and comment on the plan in accordance with the review schedule established by the Governing Board
 - b. Invite input on the plan from other district committees and schoolsite councils
 - c. Communicate with parents/guardians through the district newsletter, website, or other methods regarding the plan and the opportunity to provide input
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of schoolsite councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians in education.
The Superintendent or designee shall:
 - a. Assist parents/guardians in understanding such topics as the challenging state academic standards, state and local academic assessments, Title I requirements, and how to monitor a child's progress and work with educators to improve the achievement of their children.
 - b. Provide parents/guardians with materials and training such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate to help parents work with their children to improve their children's achievement
 - c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders and other staff in the value and utility of parent/guardian contributions and in how to reach out to communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools
 - d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education
 - e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and to the extent practicable, in a language the parents/guardians can understand
 - f. Provide other reasonable support for parent/guardian involvement activities as parents/guardians may request.
 - g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students.



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In addition, the Superintendent or designee may:

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
 - b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training
 - c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
 - d. Train parents/guardians to enhance the involvement of other parents/guardians
 - e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation
 - f. Adopt and implement model approaches to improving parent/guardian involvement
 - g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
 - h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities
 - i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families
 - j. Provide a master calendar of district activities and district meetings
 - k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, website, or other written or electronic means
 - l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions
 - m. To the extent practicable, provide translation services at schoolsites and at meetings involving parents/guardians as needed
 - n. Provide training and information to members of district and schoolsite councils and advisory committees to help them fulfill their functions
 - o. Provide ongoing district-level workshops to assist school site staff, and parents/guardians in planning and implementing improvement strategies, and seek their input in developing the workshops
 - p. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities
 - q. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement
 - r. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations
 - s. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
 - t. Provide information to schools about the indicators and assessment tools that will be used to monitor progress
3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws.

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements
- b. Involve district and school site representatives from other programs to assist in identifying specific population needs
- c. Schedule joint meetings with representatives from related programs and share data and information across programs
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals



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4. Conduct, with meaningful involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of:
 - a. Barriers to participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - b. The needs of parents/guardians, so they can better assist with their children's learning and engage with school personnel and teachers
 - c. Strategies to support successful school and family interactions

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request.

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
 - b. Gather and monitor data regarding the number of parents/guardians participating in district activities and the types of activities in which they are engaged
 - c. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement efforts on student achievement
5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy
 6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's local control and accountability plan in accordance with 20 USC 6312 and shall be distributed to parents/guardians of students participating in Title I programs.

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians of participating students. Such policy shall describe the means by which the school will:

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.



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4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards
 - c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district.
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging academic achievement standards
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time
- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - i. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - ii. Frequent reports to parents/guardians on their children's progress
 - iii. Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
 - iv. Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand
7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the required activities described in item #2 in the section "District Strategies for Title I Schools" above
8. To the extent practicable, provide opportunities for the informed participation of parents/guardians (including parents/guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. Each school's parent/guardian and family engagement policy shall be made available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school.



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District Strategies for All Schools

San José Unified encourages consistent parent involvement among all schools in the district. For each school, whether or not it receives federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible member of society.

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
 - b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
 - c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning by providing them strategies and techniques that they may use to improve their children's academic success and to assist their children in learning at home.

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities.

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
 - b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
 - c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the district's website, and other written or electronic communications
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
 - e. Develop mechanisms to encourage parent/guardian input on district and school issues
 - f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians who are economically disadvantaged, or disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers and administrators to communicate effectively with parents/guardians.

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
 - b. Invite input from parents/guardians and family engagement programs into school plans for academic accountability
5. Integrate parent involvement programs into school plans for academic accountability

The Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives
- b. Involve parents/guardians in school planning processes



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Administrative Regulation 5145.13 – Response to Immigration Enforcement

Adopted December 14, 2023

Responding to Requests for Information

Unless authorized by the Family Educational Rights and Privacy Act pursuant to 20 USC 1232g, student information shall not be disclosed to immigration law enforcement authorities without parental consent, a court order, or judicial subpoena. The Superintendent or designee shall annually notify parents/guardians that the district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena.

Upon receiving any verbal or written request for information related to a student's or family's immigration or citizenship status, district staff shall:

1. Notify the Superintendent or designee about the information request
2. Provide students and families with appropriate notice and a description of the immigration officer's request
3. Document any request for information by immigration authorities
4. Provide students and parents/guardians with any documents provided by the immigration enforcement officer, unless such disclosure is prohibited by a subpoena served on the district or in cases involving investigations of child abuse, neglect, or dependency

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

Responding to Requests for Access to Students or School Grounds

District staff shall receive parent/guardian consent before a student is interviewed or searched by any officer seeking to enforce civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order. A student's parent/guardian shall be immediately notified if a law enforcement officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

All visitors and outsiders, including immigration enforcement officers, shall register with the principal or designee upon entering school grounds during school hours. Each visitor or outsider shall provide the principal or designee with the visitor's name, address, occupation, age if less than 21, purpose in entering the school grounds, proof of identity, and any other information required by law. (Penal Code 627.2, 627.3)

District staff shall report the presence of any immigration enforcement officers to on-site district police and other appropriate administrators.

As early as possible, district staff shall notify the Superintendent or designee of any request by an immigration enforcement officer for access to the school or a student or for review of school documents, including service of lawful subpoenas, petitions, complaints, warrants, or other such documents.

In addition, district staff shall take the following actions in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before school personnel can respond to the officer's request, they must first receive notification and direction from the Superintendent or designee, except under exigent circumstances that necessitate immediate action
2. Request to see the officer's credentials, including the officer's name and badge number, and the phone number of the officer's supervisor, and note or make a copy of all such information
3. Ask the officer for the reason for being on school grounds and document the response
4. Request that the officer produce any documentation that authorizes school access
5. Make a copy of all documents produced by the officer and retain one copy for school records
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, comply with the officer's orders and immediately contact the Superintendent or designee



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7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation, as follows:
 - a. If the officer has an Immigrations and Customs Enforcement (ICE) administrative warrant, district staff shall inform the agent that they cannot consent to any request without first consulting with the district's legal counsel or other designated district official.
 - b. If the officer has a federal judicial warrant, such as a search and seizure warrant or an arrest warrant signed by a federal judge or magistrate, district staff shall promptly comply with the warrant. If feasible, district staff shall consult with the district's legal counsel or designated administrator before providing the officer with access to the person or materials specified in the warrant.
 - c. If the officer has a subpoena for production of documents or other evidence, district staff shall inform the district's legal counsel or other designated official of the subpoena and await further instructions as to how to proceed.
8. Do 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 staff shall document the officer's actions while on campus.
9. After the encounter with the officer, promptly make written notes of all interactions with the officer, including:
 - a. A list or copy of the officer's credentials and contact information
 - b. The identity of all school personnel who communicated with the officer
 - c. Details of the officer's request
 - d. Whether the officer presented a warrant or subpoena to accompany the request, what was requested in the warrant or subpoena, and whether the warrant or subpoena was signed by a judge
 - e. District staff's response to the officer's request
 - f. Any further action taken by the officer
 - g. A photo or copy of any documents presented by the officer
10. Provide a copy of these notes and associated documents collected from the officer to the district's legal counsel or other designated district official

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 responses. (Education Code 234.7)

The Superintendent or designee shall also email the Bureau of Children's Justice in the California Department of Justice (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 Student's Family Member

The Superintendent or designee shall encourage students and their families to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. The Superintendent or designee shall notify students' families that information provided on the emergency cards will only be used in response to specific emergency situations and not for any other purpose.

The Superintendent or designee shall also encourage all students and families to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a family member is detained or deported.

In the event that a student's parent/guardian is detained or deported by federal immigration authorities, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.



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The Superintendent or designee shall notify a student whose parent/guardian was detained or deported that the student continues to meet the residency requirements for attendance in a district school, provided that the parent/guardian was a resident of California and the student lived in California immediately before the student moved out of state as a result of the parent/guardian's departure. (Education Code 48204.4)

The Superintendent or designee may refer a student or the student's family members to other resources for assistance, including, but not limited to, an ICE detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

Board Policy 5145.3: Nondiscrimination/Harassment

Adopted September 20, 2001, revised June 27, 2024

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a school under the jurisdiction of the local educational agency and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school, and to all acts of the Governing Board and the Superintendent and the County Superintendent of Schools in enacting policies and procedures that govern the district.

The Governing Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

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

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

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's website in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation as described in Education Code 234.1, 234.6.



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

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequences or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

Board Policy 5145.7: Sexual Harassment

Adopted September 20, 2001, revised November 16, 2023

The Governing Board is committed to maintaining a 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, testifies about, or otherwise supports a complaint in alleging sexual harassment.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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.

Title IX Coordinator
Director of Student Services
855 Lenzen Avenue
(408) 535-6000
UniformComplaint@sjusd.org

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.



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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.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and 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 gender 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 instances of sexual harassment, even where the 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 criminal complaint, as applicable
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 taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall 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 its schools.

Administrative Regulation 5145.71: Title IX Sexual Harassment Complaint Procedures

Adopted August 24, 2023

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 the district exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

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



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All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with 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 the 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 process for filing a formal complaint and the right to file a formal complaint.

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

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

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, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available and without charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive and designed to restore or preserve equal access to the district's education program or activity without unreasonably 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 on 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 in accordance with 34 CFR 106.30.



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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. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process as described in 34 CFR 106.44.

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30, even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the 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. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties in accordance with 34 CFR 106.45, and shall inform them of their right to appeal the dismissal of the 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 on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, 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 in accordance with 34 CFR 106.45.

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



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Written Notice

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

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 provide either party with no less than three calendar days to raise concerns of 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: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence 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



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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. (CFR 106.45)

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

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

Written Decision

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

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

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

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

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

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

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

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal



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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: (34 CFR 106.45)

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 determination, 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 calendar 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 recent 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 the 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 nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

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 in accordance with 34 CFR 106.44.

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

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 cocurricular activities or other privileges as permitted by law



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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, 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 website, or if the district does not maintain a website, available upon request by members of the public. (34 CFR 106.45)

Administrative Regulation 6164.6: Identification And Education Under Section 504

Adopted September 20, 2001, revised November 2, 2023

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

SJUSD 504 Coordinator
855 Lenzen Avenue
San José, CA 95126
(408) 535-6000
504@sjusd.org

Definitions

For the purpose of implementing Section 504, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services, designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, without cost to the student or the student's parent/guardian except when a fee is specifically authorized by law for all students. (34 CFR 104.33)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108)

Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. (34 CFR 104.3)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine. (28 CFR 35.108)

Mental impairment means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (28 CFR 35.108)



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Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities also include major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ with a body system. The determination of whether an impairment substantially limits a student's major life activities shall be determined without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.
2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in 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 initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If the 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. (34 CFR 104.35). The district's evaluation procedures shall ensure that tests and other evaluation materials: (34 CFR 104.35).
 - 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 merely designed to provide a single general intelligence quotient
 - 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, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions. The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35). 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. (34 CFR 104.35)
2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, 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.



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3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed. The student's parent/guardian shall be informed in writing of the parent/guardian's rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. 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 the student's individual needs. (34 CFR 104.34)
5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. The district shall adhere to this time frame regardless of any extended school breaks or times that the school is otherwise not in session.
6. A copy of the student's Section 504 services plan shall be kept in the student's record. The student's teacher(s), and any other staff who provide services to the student, shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services 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 students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children as well as the procedural safeguards available to them if they disagree with the district's action or decision including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of the student under Section 504, the parent/guardian may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at their discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The 504 Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, or if the parent/guardian did not request an administrative review, the parent/guardian may request a Section 504 due process hearing.

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which the parent/guardian disagrees
 - b. The specific relief the parent/guardian seeks
 - c. Any other information the parent/guardian believes is pertinent to resolving the disagreement
2. 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.
3. 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.



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4. Any party to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

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. (34 CFR 104.32)



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San José
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