

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
685 East Jack London Blvd., Livermore, CA 94551
Telephone (925) 606-3200 www.livermoreschools.org

Notice to Parents of Your Right Under Law 2024-2025 REV. 06/10/2024

Español: Esta noticia de los Derechos y Responsabilidades de Padres Tutores está disponible en español. Si usted desea una copia, se puede obtener en la oficina de su escuela.

DEAR PARENTS/GUARDIANS, EMPLOYEES, STUDENTS, ADVISORY COMMITTEES PRIVATE SCHOOL OFFICIALS AND OTHER INTERESTED GROUPS:

California law (E.C. 48980) Requires that at the beginning of the first semester or quarter of the regular school term, the governing board of each school district shall notify the parent or guardian of a minor pupil regarding the right or responsibility of the parent or guardian under Sections 35291, 46014, 46015, 48205, 48207, 48208, 49403, 49423, 49451, 49472, and 51938 and Chapter 2.3 (commencing with Section 32255) of Part 19 of Division 1 of Title 1. The notification be given and of the availability of individualized instruction under section 48206.3. Section 48982 requires that this Notice be signed and returned by the parent or guardian to the school. Signature and return of the attached form is acknowledgement by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld.

Accordingly, you are hereby notified as follows (when used in this notification "parent" includes a parent or legal guardian):

School Accountability Report Cards (SARC) are available on the District website at <http://www.livermoreschools.org>. Hard copies are available by request at your school site or the District Office, 685 East Jack London Blvd, Livermore.

NONDISCRIMINATION, COMPLAINT PROCEDURES AND STUDENT RECORDS

Nondiscrimination

Title IV, Title IX, P.L. 92: The Livermore Valley Joint Unified School District is committed to equal opportunity for all individuals in education. *The*

District is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The District's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual race, color, ancestry, national origin, immigration status, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. The District assures that lack of English language skills will not be a barrier

to admission or participation in District programs. Under federal law, nondiscrimination extends to employment practices as well.

Uniform Complaint Procedures

5 CCR 4622: Any individual, public agency or organization may file a complaint of alleged discrimination or noncompliance with Federal and State laws and regulations governing educational programs. Such complaints must be filed no later than six months after knowledge of the alleged discrimination, harassment, intimidation, or bullying and one year after the alleged pupil fee violation. Contact the Assistant Superintendent of Administrative Services for further information at 925-606-3283. (B.P.1312.3 attached) Note that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. (EC 49011 and B.P. 3260)

Safe Place to Learn Act

EC 234 and 234.1 The Livermore Valley Joint Unified School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, *immigration status*, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to a school activity or school attendance occurring within a school of the school District may be subject to disciplinary action up to and including expulsion. To report an incident and/or to receive a copy of the District's antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact the Director of Student Services.

Title IX

EC 211.61: Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects male and female pupils and employees, as well as transgender pupils and pupils who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, pupils may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting pupils may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. For more information about Title IX, or how to file a complaint of noncompliance with Title IX, please contact the Director of Student Services.

No Child Left Behind Act of 2001

20 USC §§6301 et seq. Title 1 : No Child Left Behind Act of 2001: The law requires Districts that receive Title 1 funds to notify parents of children in schools that fail to meet requirements as specified in the Act. The law adds additional parental rights related to involvement at the school, teacher qualifications, and Program Improvement Status. For specific notification requirements, contact the District Title 1 Coordinator at (925) 606-3202.

Educational Equity: Immigration and Citizenship Status

EC 200, 220, and 234.1 adding Article 5.7 to EC 234.7: All persons in public schools, regardless of their Immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, such as hairstyles, are to be afforded equal rights and opportunities in the schools, and are not to be discriminated against on the basis of these specific characteristics in any program or activity conducted by the school that receives or benefits from state financial assistance or enrolls students who receive state financial aid. School officials are prohibited from collecting information or documents regarding citizenship or immigration status of students or their family members. Schools are to adopt a policy that prohibits and adopts a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. The superintendent of a school district or county office of education and principal of a charter school are to report to the governing board of local educational agency in a timely manner any requests for information or access to the school site by an officer or employee or a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. Schools are encouraged, when an employee is aware that a student's parent or guardian is not available to care for the student, to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the student's care unless the school is able to arrange for care through the use of emergency contact information or instructions provided by the student's parent or guardian. Governing boards or schools are to provide information to parents and guardians as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. Schools and school districts will adopt by July 1, 2018 model policies created by the California Attorney General, limiting immigration enforcement at public schools ensuring that public schools remain safe and accessible regardless of immigration status.

Directory Standards, Pupil Records Notice of Privacy

EC 49068 & 49073: Certain groups are permitted directory information without parent's consent. Such information may include student name, birthdate, address, email address, phone number, dates of attendance, major study course, awards and previous school attended. An annual written request will prohibit the District from releasing directory information to news media, employers or prospective employers, parent groups, private schools requesting names of graduates, military recruiters, county welfare, law enforcement agencies, civil service commission, licensed adoption agencies and probation and parole officers. *Directory information regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or pupil given parental rights, has provided written consent that directory information may be released.*

Parents and eligible students will be notified prior to the destruction of any special education records at their last known residency.

Upon written request from the parent of a student age 17 or younger, the District will withhold directory information. A student who is 18 or older or enrolled in a post-secondary institution may also make such a written request. Contact the District Office for more specific information . Requests must be submitted within 30 calendar days of the receipt of this notification.

5 CCR, 431(e), EC 49063, 49069 & 49070: Parents may request to inspect any and all official school records, files, and data related to your child (or yourself if 18 years of age or older). The school has five business days to respond to your request. If information in the file is inaccurate, misleading or

inappropriate, you may request removal of the information or include a statement disputing the challenged information. Parents or eligible students may receive a copy of any information in the records at a reasonable cost per page. When a student moves to a new District, records will be forwarded upon request of the new District. You may obtain further information on maintenance of, access to, and challenge of pupil records from the Director of Student Services.

Military Recruitment

E.C. 49073.5: Public Law 107-110 of the “No Child Left Behind Act” requires school Districts to release student names, addresses, and phone numbers when requested by military recruiters. However, the law also allows parents/guardians, and students, 18 years of age and older, to

prohibit the release of this information. *(For grades 9-12 only) Please review and complete the form at the end of this notice if you don't want student information released to military recruiters.*

Student Photographs & Work Products

Student photographs and work products are often used to provide information to the community about District and school programs, events and activities. **Parent/Guardian permission is required before the District can use this material. Please review and check the acknowledgement attached to this notice.**

Release of Student Record/Compliance with Subpoena or Court Order

EC 49076 and 49077: Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.

Release of Student Records to School Officials and Employees of the District

EC 49076 (a) (1) and 49064 (d): Districts may release educational records, without obtaining prior written parental consent, to any school official or employee.

Custody Issues

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation that leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

Visitors/Outsiders (B.P. 1250)

The Board of Education encourages parents/guardians and other interested citizens to visit our schools. Many visitors may normally be expected on the campus of a public school during the school day. The principal and school staff are responsible for the safety of students and an orderly environment on campus, visitors are asked to register immediately at the office. These visitors may include, among others, District office personnel, substitute teachers, teachers visiting from other schools, parents of pupils, School Board members, law enforcement, Child Protective Services (CPS), Immigration and Customs Enforcement (ICE), invited speakers, maintenance and repair people, salespersons, representatives of the news media, and students not now enrolled in the school. School visitation procedures shall be implemented to insure minimum interruption of the instructional program. BP 1250 is available on the District's website.

HEALTH & SAFETY

Immunizations, Communicable Diseases

EC 48216, 49403, HSC 120325, 120335, 120338, 120365, 120370, and 120375

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school District shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The District may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing. Beginning January 1, 2016, parents of students in any school will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7th grade. Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above. Districts shall refer parents or guardians to sources of medical services to obtain immunizations. Please contact the School Nurse for more information.

Entrance Health Screening

HSC 124085, 124100, and 124105: State law requires that the parent or legal guardian of each student provide the school documentary proof that the student has received a health screening examination by a doctor within 90 days after entrance to first grade. Students may be excluded up to

5 days from school for failing to comply or not provide a waiver. Notice will be given to parents/guardians of availability of free health screening through the local health department.

Oral Health Assessment

EC 49452.8: Students are required while enrolled in kindergarten, or while enrolled in first grade, if the student was not previously enrolled in kindergarten in a public school, to no later than May 31st of the school year present proof of having received an oral health assessment that was performed no earlier than 12 months prior to the date of the initial enrollment of the student.

Concussion and Head Injuries

EC 49475: A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. AB 2127 (Cooley) places limitations on high school and middle school football teams when conducting full-contact practices during the preseason, regular season and off-season. Clarifies the criteria that must be met in order for an athlete who is suspected of sustaining a concussion or head injury to return to the athletic activity. A school District that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed healthcare provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Drug Free Campus (Alcohol and Other Drug Use Prevention Education)

Possession, use or sale of narcotics, alcohol, or other controlled substances is prohibited and strictly enforced at all school activities. Records will be forwarded to local law enforcement, and District sanctions will result from violations.

Firearms: Gun-Free School Zone

SB 707 (Wolk) authorized persons with a valid license to carry a concealed firearm to be allowed in an area within 1,000 feet of school, but not on school grounds. Reassignment of certain appointed peace officers who may carry on campus is described. Ammunition or reloaded ammunition is allowed on campus but only if in a locked container in a locked trunk of a vehicle. Peacekeepers, military, and armored vehicle guards engaged in job duties are also defined and exempt. PC 626.9 and 30310

Vision and Hearing Tests

EC 49452, 49456: School Districts shall provide for the testing of the sight and hearing of each student by qualified employees. **EC 49455 :** Upon enrollment and every third year thereafter until the child has completed grade 8, the child's vision shall be appraised by the school nurse or other authorized person. This evaluation may be waived, if the parents so desire, by presenting a certificate from a physician, surgeon, or an optometrist spelling out the results of the evaluation.

The provisions of this section shall not apply to any child whose parents or guardian file with the principal of the school, in which the child is enrolled, a statement in writing that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Administration of Prescribed Medication for Students

EC 49423 : Any student who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication, if the school receives: (1) a written statement from the student's physician detailing the method, amount and time schedules by which the medication is to be taken; and (2) a written statement from the student's parent/guardian requesting the District to assist the student in taking the medication as prescribed by the physician. These instructions must be renewed each year. For further clarification refer to B.P.5141.21 Administering Medication and Monitoring Health Conditions is available on the District's Website.

Required Notice to School for Continuing Medication

EC 49480: Parents must inform the school nurse or a certificated school employee when medication is given to a student on a continuing basis for a non-episodic condition. The type of medication, current dosage, and the name of the supervising physician, is to be given to the certificated person.

Medical and Hospital Services

EC 49472: The Board of Education may provide or make available medical or hospital services for injuries to District students arising out of accidents occurring while in or about buildings of the District during the time such students are required to be there; while being transported by the District to or from school or other place of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. No student shall be compelled to accept such services without his/her consent, or if a minor, without the consent of a parent.

Insurance Plan

EC 49471 and 49472: Informs parents of District's option to provide parents with student insurance for medical and hospital services needed for student injuries while involved in school-related activities.

Health Care Coverage

For the school years beginning in 2015 and ending in 2018, AB 2706 (Hernández) requires public schools to provide parents/guardians information about health care coverage options and enrollment assistance. The information needs to be included on the school enrollment forms; a factsheet may also be provided to parents/guardians. See attached flier.

Pupils Insurance for Athletic Teams

EC 32221.5: Under state law school Districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school District offering insurance or other health benefits that cover medical and hospital expenses. Some students may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling 1-888-604-INFO.

Physical Examination Exemption

EC 49451: A parent may file annually with the principal of the school in which his child is enrolled, a signed statement stating that he will not consent to a physical examination of his child. Thereupon, the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

Pupil Nutrition Program

EC 48989(b), 49510 and 49558: Needy children may be eligible for free or reduced price meals. Details are available at your child's school. Individual records pertaining to student participation in any free or reduced price meal program, under appropriate circumstances, are used by school District employees to identify students eligible for public school choice and supplemental educational services pursuant to the federal No Child Left Behind Act.

Pupil Meals – Child Hunger Prevention and Fair Treatment Act of 2017

EC 49557.5: Per the United States Department of Agriculture memorandum SP 46-2016, the school district must notify parents, students and staff of the Meal Charge Policy on how students who pay the full or reduced price cost of a reimbursable meal are impacted by having insufficient funds on hand or in their accounts to purchase a meal.

Asbestos Management Plan for School Buildings

Federal Reg. 40 CFR 763.93: Each school must maintain a copy of an asbestos management plan for that school. Plans shall be available for inspection by the public, including parents, teachers and other school personnel, within five working days of a request to inspect a plan.

Sun Protective Clothing/Sunscreen

EC 35183.5: School sites must allow for outdoor use of sun-protective hats and must provide for the use of sunscreen by students during the school day. Students may use sunscreen during the school day without a physician's note or prescription.

Bicycle Helmet Law

No person under 18 years of age shall operate a bicycle, a non-motorized scooter, or a skateboard or ride as a passenger unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

The use of skateboards, roller blades, razors or any wheeled mode of transportation on campus during school operational hours is not permitted.

Pesticide Products

EC 17612: The school District designee shall annually provide to all staff and parents or guardians of students enrolled at a school site a written notification of the name of all pesticide products expected to be applied at the school facility during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product. The notice shall also contain the Internet address used to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to Section 13184 of the Food and Agricultural Code and may contain other information deemed necessary by the school District designee.

Comprehensive School Safety Plan

EC 32280: Each school is required to report on the status of its school safety plan, including a description of its key elements in the annual School Accountability Report Card prepared pursuant to Section 33126, 32286 & 52056. Fire and emergency drills are held periodically at each school.

Notice of Compliance

EC 32289: A complaint of noncompliance with the school safety planning requirements may be filed with the State Department of Education under the Uniform Complaint Procedures (5 CCR 4600 et seq.)

Tobacco-Free Schools (B.P. 3513.3)

Tobacco use is identified as a major health risk for both users and non-users. Education Code 48901 mandates Districts take all steps deemed practical to discourage students from smoking. Adults do not have the District's permission to smoke or use tobacco products on District property. Beginning July 1, 1994, smoking and the use of tobacco products was prohibited on sites and in vehicles owned and/or operated by the Livermore Valley Joint Unified School District. The tobacco-free policy includes buildings, grounds and services provided by employees off campus. (Refer to specific regulations in BP 3513.3)

Suicide Prevention

EC 215 : Student suicide rates are of concern to all members of the school community. One child, ages 12 and older, dies by suicide every five days in California. Local Districts were required by California law to provide suicide prevention education, according to age-appropriate and sensitive local policies, for grades 7 to 12. Legislators have determined that training in mental health and coordination around improved services is extended to our elementary students. A shared goal by all staff educators is to keep a safe place to learn, free from harm to any of our students.

Megan's Law Notification

Penal Code §290.4: Parents and members of the public have the right to review information regarding registered sex offenders. Contact Livermore Police Department or online at www.meganslaw.ca.gov .

Camera Surveillance on School Property

PC 647(j): For the safety of our students, staff and visitors, the School District employs camera surveillance equipment for security purposes.

This equipment may or may not be monitored at any time. Surveillance cameras will generally be utilized only in public areas where there is no “reasonable expectation of privacy.” Public areas may include school buses; building entrances; hallways; parking lots; front offices where students, employees, and parents come and go; gymnasiums during public activities; cafeterias; and supply rooms. However, it is not possible for surveillance cameras to cover all public areas of District buildings or all District activities. District surveillance cameras will not be installed in “private” areas such as restrooms, locker rooms, changing areas, private offices (unless consent by the office owner is given), or classrooms.

INSTRUCTION

High School Curriculum: Notification Regarding College Preparatory Courses

EC 51229 : Districts are required to provide parents or guardians of each minor student enrolled in grades 9 to 12 written notice of college admission requirements and career technical education courses. See attached.

Availability of Prospectus of School Curriculum

EC 49063 and 49091.14: The curriculum of every course offered by the schools of the District is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a reasonable fee not to exceed the actual copying cost.

English Language Education

EC 310: State law requires that all students be taught English by being taught in English. However, this requirement may be waived by parents with prior written informed consent, which shall be provided annually, under specified circumstances.

Math Placement

Prior to the beginning of each school year, the District shall communicate the District's commitment to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors and administrators.

BP 6152.1 Math Placement is available on the District's website.

English Learners Identification Notice

EC 313.2: Parents are to be notified by schools that in addition to the child's English proficiency status, for which they are notified using the English Language Proficiency for Assessments for California (ELPAC), and they are to be notified that their child is a "Long-term English Learner" or is an "English learner at-risk of becoming a Long-term English Learner".

California State Academic Achievement Tests

EC 60601-60618: Requires the District to provide information regarding assessments and student excusal to parents, and guardians in a timely basis. Board Policy 6162.51 State Academic Achievement Tests is available on the District's Website.

Foster Youth and Children in Homeless Situations

EC 48853, 49069, and 51225, 42 USC §11431-11435: Each local District shall appoint a liaison for foster and homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. Foster and homeless youth are allowed educational rights, such as: immediate enrollment, remain in school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities.

Coursework and graduation requirements: children of military families

EC 51225.1 and 51225.2: Within 30 days of enrollment, the school district shall notify children of military families if they are qualified to be exempted from local graduation coursework requirements that go above and beyond state graduation requirements. The school district makes a finding that the pupil is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school or is reasonably able to complete the school district's graduation requirements within the pupils' fifth year of high school. The coursework completed while attending another school is to be issued full or partial credit. "Pupil who is a child of a military family" means a pupil who meets the definition of "children of military families" under Section 49701. If you are a military family, your child may qualify to be exempted from local graduation coursework

requirements that are beyond the California state requirements. Please make an appointment with the school counselor to review your child's options for graduation. All coursework that was completed at another school outside of the LVJUSD will be issued full or partial credit.

Promotion/Retention of Pupils

EC 48070.5(e): The District will notify parents when a pupil is identified as being at risk of retention as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel regarding any decision to promote or retain and to appeal a decision to promote or retain. For further clarification, refer to B.P. 5123 available on the District's Website.

Drug Education Courses

EC 51260: Instruction shall be given in the elementary and secondary schools on drug education and the effects of the use of tobacco, alcohol, narcotics, dangerous drugs and other dangerous substances.

Sexual Health and HIV/AIDS Prevention Education

EC 51938 At the beginning of the first semester or quarter of the regular school term, the school District shall notify the parent or guardian of a minor pupil regarding the right or responsibility of the parent or guardian under EC 51938.

The school District, is required, at the beginning of each school year, or at the time of the student's enrollment, if different, to notify the parent or guardian of each pupil about instruction in comprehensive sexual health education and HIV/AIDS prevention education and assessments on pupil health behaviors and risks planned for the school year. Provides that a parent or guardian has the right to excuse their child from all or part of the instruction.

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Codes 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The District will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by District personnel or outside consultants

5. When the District chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
- a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker

The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate.

Surveys/Tests on Personal Beliefs

EC 51513, 51938 (b): Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test questionnaire, or survey, and 3) the parent consents in writing

The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate.

Excuse from Health Instruction

EC 51240: Whenever any part of the instruction of health, family life or sex education conflicts with the religious training and beliefs or personal moral convictions of the parent of any student, the student shall be excused from such training upon written request by the parent.

Non-Mandatory Programs for Parental/Pupil Participation

EC 49091.18: Schools may not require a student or student's family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.

Moral Objection to Use of Animals

EC 32255: Any student with moral objection to dissecting or otherwise harming or destroying animals shall notify his/her teacher regarding this objection. The teacher will send a notification to parent and pupil. The measure requires a teacher to develop an alternative education project, if possible.

Career Counseling

EC 221.5 (d): Commencing grade 7, school personnel shall assist students with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the student's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

Federal Student Aid

EC 51225.8 Under state law, school districts are to ensure that students prior to entering 12th grade are entitled to information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the California Dream Act Application at least once.

California High School Exit Exam (CAHSEE)

SB 172 (Liu) suspends the requirement of the CAHSEE as a condition for receiving a diploma for any pupil completing grade 12 through the 2017-18 school year. This is retro-active to 2003-04 school year, and also requires school Districts to grant a diploma to any pupil who completed grade 12 and has met all applicable graduation requirements other than passing the CAHSEE. EC 60840

California High School Proficiency Exam

5 CCR 11523: The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible students who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net>.

Advanced Placement Examination Fees

EC 52244 : State funds may be available to cover costs of advanced placement examination fees for economically disadvantaged pupils.

School Accountability Report Card (SARC)

EC 35256: Each school shall annually issue a School Accountability Report Card (SARC). Copies are available at each school site and on the District's Website www.livermoreschools.org.

Alternative Schools

EC 58501, 58502, & 51225.3: State law authorizes school Districts to provide for alternative schools as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of Self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and

independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located. In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this District, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the District to establish alternative school programs in each District. Requirements for graduation and alternative modes for completing the prescribed course of study must be made available to pupils, parents, and the public.

Electronic Information Services (Internet Access)

One of the adopted goals of the Livermore Valley Joint Unified School District is to assist in advancing the use of technology to enhance student learning. Access to LVJUSD's technology is essential to 21st century instruction, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. The Livermore Valley Joint Unified School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of privilege to use the technology and/or civil or criminal liability.

Special Education

EC 56031, 56301, & IDEA: Individuals with Disabilities Act (IDEA) requires that parents be informed of the Federal law, which requires a free and appropriate education in the least restrictive environment for qualified handicapped pupils. Special education is available to meet the identified needs of students who have one or more handicaps. If the service required is not available in a public school, placement may be made in an approved, private, non-sectarian school. Contact the Director of Special Education for specific information.

Special Education; Child Find System

EC 56301: Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to EC 6300.

Special Education Complaints

5CCR §3080: State regulations require the District to establish procedures to deal with complaints regarding special education. If you believe that the District is in violation of federal or state law governing the identification or placement of a special education student, or similar issues, you may file a written complaint with the District.

Section 504 of the Rehabilitation Act of 1973

Students may be handicapped under Section 504, even though they do not qualify for services pursuant to Special Education Law. Eligible students, such as those with Attention Deficit Disorder (ADD), are

entitled to reasonable accommodations in the classroom. Please contact the school principal or the Director of Student Services for further information.

Individual Instruction for Temporarily Disabled Students

EC 48206.3-48208: Home or hospital teachers are available for temporarily disabled students unable to attend their regular instructional program with a doctor's signed note. *When students are hospitalized the parents are responsible to notify the school District where the hospital is located for instruction.*

DISCIPLINE

EC 35291 & 35291.5 & .7: The School Board is required to adopt policies for the government and discipline of the schools. A copy of the school discipline policy (5144.1, 5144.2) and guidelines are available at school offices or on the District's Website.

Suspension and Expulsion

EC 48915, 48900 : A student shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the student is enrolled determines that the student has committed an act as defined pursuant to any of subdivisions.

Amended by AB 420 (Dickinson), pupils in kindergarten through grade 3 shall not be suspended for any acts described under EC 48900(k).

Pupils enrolled in kindergarten through grade 12 shall not be recommended for expulsion solely for committing any acts described under EC 48900(k). See Suspension and Expulsion form attached to this document.

Bullying/Cyber Bullying

EC 48900 (r): A student may be suspended or recommended for expulsion if it is determined that the student engaged in an act of bullying by any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an "electronic act" as either the creation or transmission of that communication, and including one or more acts committed by a pupil or group of pupils as defined in Education Code sections 48900.2, 48900.3, or 48900.4 directed at 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 pupil or pupils in fear of harm to the pupil or pupils of his/her/their property; causing a reasonable pupil to experience substantial interference with his or her physical or mental health; causing a reasonable pupil to experience substantial interference with his or her academic performance; or causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities or privileges provided by a school.

Conduct of Student

EC 44807: Every teacher in the public schools shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

Withholding Grades, Diploma or Transcripts

EC 48904, BP/AR 5125.2: The parent or guardian of any minor, whose willful misconduct results in damage to any property belonging to the school District, personal property of any school employee, or school property not returned, shall be liable for all damages, to a maximum of \$10,000. The principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and that reparation may be due. This notice shall include a statement that the District may withhold grades, diploma, or transcripts from the student and parent/guardian until reparation is made.

If reparation is not made, the District shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts.

Search of Students

The District is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or District property under their control, and may seize illegal, unsafe and otherwise prohibited items. Metal detectors, contraband detection dogs, and breathalyzers may be used to ensure the safety of all students. B.P. 5145.1 Search and Seizure is available on the District's website.

Duties of Students

5 CCR 300: Students shall conform to school regulations; obey all directions, be diligent in study, respectful to teachers and others in authority; and refrain from the use of profane and vulgar language

Hazing Prohibition

EC 48900 (q) : Students and other persons in attendance are prohibited from engaging or attempting to engage in hazing.

Attendance of Suspended Student's Parent

EC 48900.1: School Districts are required to adopt a policy that allows a teacher to require the parents of an unruly or disruptive student to spend a portion of the school day in the child's classroom. The measure prohibits an employer from taking action against a parent who attends school in accordance with the provision of this act.

Sexual Harassment

EC 231.5, 48980, 5 CCR §4917: The Livermore Valley Joint Unified School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, please contact Director of Student Services. Sexual harassment violates state and federal law and school Discipline Policy. Sexual harassment is unwelcome sexual behavior that makes a student feel uncomfortable or unsafe. Examples include, but are not limited to the following: unwelcome sexual flirtations or propositions; sexual slurs, insults, epithets, threats, verbal abuse, derogatory comments or sexual degrading descriptions; comments about a person's body; sexual jokes, notes, stories, drawings, pictures, or gestures; spreading sexual rumors; touching a person's body or clothes in a sexual way; purposefully cornering or blocking normal movements; displaying sexually suggestive objects; and hugging, grabbing, or pinching someone sexually. If a student believes he/she is a victim of sexual harassment they should tell the harasser to stop; immediately report the harassment to an administrator, teacher, counselor, or any adult supervisor; consider filing a formal complaint against the harasser or talk to their parents so they can contact school officials. Board Policy 5145.7 Sexual Harassment is available on the District's Website.

Dress Code/Gang Apparel

Dress, grooming, or appearance, which disrupts or tends to disrupt the educational process, or affects the health or safety of individuals, shall be prohibited. A summary of B.P. 5332, Student Dress Code, is included with this notice.

EC 35183: "Gang related apparel" is prohibited on campus. B.P. 5136, Prohibited Gang Related Behavior is available on the District's Website.

Electronic Communication Devices

Use of communication devices such as cell phones and pagers are permitted on campus and at school sponsored activities under restricted conditions. School administration also has the discretion to impose additional conditions. Standards: (1) Use of cell phones, pagers, and other communication devices on campus is permitted only during the following times: before and after school; during passing periods (grades 9-12 only); and during lunch. (2) At no times are students permitted to use cell phones or pagers during a class or instructional period. All electronic devices (to include, but not limited to cell phones and pagers) **must** be turned off during class time. (3) The schools will not be responsible for the damage or loss of electronic communications devices brought on campus or to school sponsored activities. Violations of these standards will result in consequences consistent with the District's discipline policy. BP 5131.3 is available on the District's website.

Electronic Listening or Recording Device

The use by any person, including a pupil, of any electronic listening or recording device in any classroom, without the prior consent of the teacher and the principal, is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action .EC 5151.2.

Laser Pointers

Penal Code 417.27: Prohibits possession of a laser pointer by any student on any elementary or secondary school premise, unless possession is for valid instruction. Further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.

Corporal Punishment

EC 49000 & 49001 & California Penal Code 273d: Corporal punishment shall not be administered to students.

ATTENDANCE

Minimum Age of Admission to Kindergarten

EC 48000 (a): Children must be five years of age on or before September 1 for the 2015-2016 and each school year thereafter.

Residency

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school District in which the residence of either the parent or legal guardian is located.

A student may alternatively comply with the residency requirements for school attendance in a school District, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school District pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school District; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school District; or a pupil residing in state hospital located within the boundaries of the school District.

A school District may also deem a student as having complied with the residency requirements for school attendance in the school District if one or both the parents or legal guardians of the student are physically employed within the boundaries of the school District for a minimum of 10 hours during the school week or in the instance where the pupil's parent or legal guardian resides outside of the boundaries of that school District but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school District for a minimum of 3 days during the school week.

Minimum Day

EC 44579: Districts shall advise parents and guardians of the schedule of minimum days and student-free staff development days. If additional days are scheduled thereafter, parents and guardians of the affected students will be notified no later than one month before the scheduled minimum or student-free day.

Excused Absences

EC 46014, 48205: Notwithstanding Section 48200, a pupil shall be excused from school when the absence is: (1) Due to the pupil's illness. (2) Due to quarantine under the direction of a county or city health officer. (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered. (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California. (5) For the purpose of jury duty in the manner provided for by law. (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor. (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board. (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code. (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district. (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

(11) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260. (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence. (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester. (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments. (e) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

Avoiding Absences, Written Excuses

The Livermore Valley Joint Unified School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a student misses none or only a small portion of the school day. The District also asks that travel or other absences be avoided during the time school is in session. The higher the District's daily attendance rate, the more a student will learn and the greater the amount of funding that the District will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families that plan vacations around traditional holiday periods, and thereby minimize student absences.

Following an absence, a student is required to bring a written excuse from home when returning to school. Illnesses, and doctor and dental appointments are considered excused absences. Absences without a written excuse are recorded as unexcused.

Absence for Religious Purposes

EC 46014: Students, with written parental consent, under certain conditions, may be excused from school for religious exercises if the governing board adopts a resolution permitting students to be absent from school for religious purposes.

Grade Reduction/Loss of Credit

EC 48980(k): No student shall have his/her grade reduced or lose academic credit for any absence excused pursuant EC 48205 for missed assignments/tests that can reasonably be provided and completed.

Leaving School Grounds During Lunch

EC 44808.5: Board Policy 5112.5 directs that elementary, middle, and high schools shall have closed campuses and students may not leave school at lunch unless the principal at the site allows an exemption. All exemptions must be reviewed annually and parents will be notified in advance of exemptions that are granted. Per Education Code 44808, the District shall not be liable for the conduct or safety of any students leaving school grounds during the student's lunch period.

School Attendance Review Board Referral

EC 48263 : Any minor who is a habitual truant or is irregular in attendance at school may be referred to a School Attendance Review Board (SARB). The minor's parents or guardians shall be notified of the referral.

Truancy

EC 48260, 48262, 48263.6 : A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC48205. The text of EC 48205 is provided in this document under "Allowed Absences".

EC 48260.5: Requires that a letter be sent to the parent or guardian upon student's initial classification as a truant. A truant is defined as "any student who is absent from school, without a valid excuse, three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof.

Arrest of Truants/School Attendance Review Boards

EC 48263, 48264 : The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is

found away from his/her home and who is absent from school without valid excuse within the county, city or school District. A student who is truant may be referred to a School Attendance Review Board (SARB).

Confidential Medical Service

EC 46010.1 : Students in grades 7-12 and their parents are notified that the law permits schools to excuse students for the purpose of obtaining confidential medical services without parental consent.

SCHOOL ENROLLMENT OPTIONS

IntraDistrict Transfers

EC 35160.5(b): Allows parent(s) to choose the schools their children will attend, regardless of where the parent/guardian lives in the District. The law limits choice within a school District as follows: (1) Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area. (2) In cases in which there are more requests to attend a

school then there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A District cannot use a student's academic or athletic performance as a reason to accept or reject a transfer. (3) Each District must decide the number of openings at each school that can be filled by transfer students. Each District also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a District can deny a transfer request if it would upset this balance or would leave the District out of compliance with a court-ordered or voluntary desegregation program. (4) A District is not required to provide transportation assistance to a student that transfers to another school in the District under these provisions. (5) If a transfer is denied, a parent/guardian does not have an automatic right to appeal the decision.

Each year the Student Services department establishes the open enrollment period for all students and grade levels. Requests submitted after the established dates may not be approved before school begins in the fall. Information on open enrollment dates and procedures is posted on the LVJUSD website each year in January prior to the beginning of open enrollment. LVJUSD Board Policy 5116.1 reviews procedures in more detail.

InterDistrict Transfers

EC 48209 & 46600: The parent or legal guardian of a student may seek release from the home District to attend a school in any other school District. School Districts may enter into agreements for the InterDistrict transfer of one or more students for a period of up to five years. The agreement must specify

the terms and conditions for granting or denying transfers and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a student will not have to reapply for an InterDistrict transfer, and the school board of the District of enrollment must allow the student to continue to attend the school in which he/she is enrolled. An interDistrict attendance agreement shall be initiated by the District of residence and shall require the appropriate signatures of the receiving District. Transportation is the responsibility of the parent/guardian. The Student Services Department shall be responsible for processing interDistrict transfer requests. Once a student has been admitted by an interDistrict agreement, he/she is welcomed and encouraged to continue attending Livermore schools as long as his/her behavior, attendance, and achievement meet District expectations. The

a parent/guardian of a student who is denied an interDistrict transfer request may appeal the decision to the District Superintendent and the Board of Education under B.P. 9321. Requests that are denied by the Superintendent and/or Board of Education may be appealed within 30 days to the County Board Of Education. Students expelled from other school Districts for certain serious offenses specified in Education Code 48915 (a) or (c) are not eligible for an interDistrict transfer during the period of their expulsion. Prior to considering the transfer request of a student who had a prior expulsion, the Student Services department shall hold a hearing to determine whether the student poses a danger to the students, staff, or the District.

A student who has been determined by personnel of either the home or receiving District to have been the victim of an act of bullying, as defined in EC 48900 (r), shall, at the request of the parent or legal guardian, be given priority for interDistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interDistrict attendance agreement. (AB

1156)

Open Enrollment Act

EC 48350 : Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the District, as long as the school to which he/she is transferring has a higher Academic Performance Index. Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School Districts are allowed to adopt specific, written standards for acceptance and rejection of applications as long as students are selected through a “random and unbiased” process. Unless the school board waives the deadline, requests for transfers are to be submitted by January 1 of the prior school year. To apply, parents must directly contact the School District to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op>.

Parent Employment in Lieu of Residency (SB140)

EC 48204 (b): The law provides that a school District may deem a student as having complied with the residency requirements for school attendance if one or both parents/guardians of the student are employed within the boundaries of the District. A school District is not required to accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of this section include:

- Either the District in which the parent/guardian lives or the District in which the parent/guardian works may prohibit the transfer if it determines there would be a negative impact on its court ordered or voluntary desegregation plan.
- The District in which the parent/guardian works may reject a transfer if it determines that the cost of educating the student would exceed the amount of government funds the District would receive as a result of the transfer.
- There are set limits (based on total enrollment) on the net number of students that may transfer out of a District under this law, unless the District approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the District that declines to admit a student is encouraged to communicate in writing to the parent/guardian the specific reasons for denying the transfer.

This summary of attendance alternatives is intended to provide an overview of the laws applying to each alternative. Anyone interested in finding out more about these options should contact their own school District, or the Districts they may be thinking about transferring into, for more information on the Districts’ policies, procedures, and timeline for applying for transfers.

College Admission Requirements and Higher Education Information

“A-G” Courses	Subject	CSU/UC Requirements
A	History/Social Science	2 years required
B	English	4 years required
C	Mathematics	3 years required (Algebra, Geometry and Intermediate Algebra), 4 years recommended
D	Laboratory Science	2 years required (Biology and Chemistry) 3 years recommended
E	Language Other Than English	2 years required, 3 years recommended

F	Visual and Performing Arts (V P A)	1 year required
G	College Preparatory Electives	1 year required

University of California/California State University Minimum College Admissions Requirements: To learn more about college admission requirements, and for a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please refer to: www.csumentor.edu.

For a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please refer to: www.ucop.edu/doorways

Career Technical Education (CTE) : CTE is offered by the District and Tri-Valley ROP as career and workforce preparation for high school students. CTE courses are developed in partnership with business and industry and sequenced in multiple career pathways that provide students with options to explore careers, apply their knowledge and abilities, and make informed choices about their future. CTE provides high school students 16 years of age and older with valuable career and technical education so students can (1) enter the workforce with skills and competencies to be successful and earn more than minimum wage at the entry level; (2) pursue advanced training in postsecondary educational institutions; and/or (3) upgrade existing skills and knowledge. Most CTE courses are articulated with our local community colleges so that high school students can earn college credits. Some CTE classes are UC Approved.

To learn more about the District's career technical education classes, please visit the District Websites at www.livermoreschools.com and the Tri-Valley ROP website at www.tvrop.org.

Students are encouraged to meet with the high school Career Education Specialist in the Career Center or counselors to help them choose courses at their school that will meet college admission requirements or enroll in career technical education courses, or both.

Please contact your Career Education Specialist
Granada High School 925-606-4800
Livermore High School 925-606-4812

Livermore Valley Joint Unified School District

Policy BP 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 04/23/2013 | Last Revised Date: 11/16/2021 | Last Reviewed Date: 11/16/2021

The Board of Education recognizes that the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal processes, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600- 4670 and the accompanying administrative regulation.

The District's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Accommodations for pregnant and parenting students (Education Code 46015) (cf. 5146 - Married/Pregnant/Parenting Students)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617) (cf. 6200 - Adult Education)
3. After School Education and Safety programs (Education Code 8482-8484.65) (cf. 5148.2 - Before/After School Programs)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462) (cf. 6178 - Career Technical Education) (cf. 6178.1 - Work-Experience Education)
6. Child care and development programs (Education Code 8200-8498)
7. Compensatory education (Education Code 54400) (cf. 6171 - Title I Programs)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)

9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
12. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075) (cf. 0500 - Accountability)
14. Migrant education (Education Code 54440-54445)
(cf. 6175 - Migrant Education Program)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223) (cf. 6142.7 - Physical Education and Activity)
16. Student fees (Education Code 49010-49013)
(cf. 3260 - Fees and Charges)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
(cf. 0420 - School Plans/Site Councils)
20. School safety plans (Education Code 32280-32289)
(cf. 0450 - Comprehensive Safety Plan)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
(cf. 0420 - School Plans/Site Councils)
22. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
23. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations. The District shall protect all complainants from retaliation. In investigating complaints, the confidentiality of all parties involved shall be protected as required by law. As appropriate for any complaint, alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if different from the complainant, when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633. (cf. 3580 - District Records)

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency. (5 CCR 4611) (cf. 5141.4 - Child Abuse Prevention and Reporting)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)
- 3 Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the District in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

4. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
5. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580- 15584)
6. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Livermore Valley Joint Unified School District

Regulation AR 1312.3: Uniform Complaint Procedures

Status: ADOPTED Original Adopted Date: 04/23/2013 | Last Revised Date: 02/16/2024 | Last Reviewed Date: 02/16/2024

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

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.2 - Complaints Concerning Instructional Materials) (cf.

1312.4 - Williams Uniform Complaint Procedures) (cf. 4031 - Complaints Concerning

Discrimination in Employment) Compliance Officers

The District designates the individual(s) identified below as the employee(s) responsible for coordinating the District's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

Superintendent 685 E. Jack London Blvd. Livermore, CA 94551

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

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

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

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4131 - Staff Development)(cf. 9124 - Attorney

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

Notifications

The District's UCP policy and administrative regulation shall be posted in all District schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1) In addition, the Superintendent or designee shall annually provide written notification of the District's UCP to students, employees, parents/guardians, District advisory committee members, school advisory committee members,, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

(cf. 4112.9/4212.9/4312.9 -

Employee Notifications) (cf. 5145.6

- Parental Notifications)

The notice shall include:

1. A statement that the District is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment,

intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint must be filed no later than one year from the date the alleged violation occurred
4. A statement that, in the case of a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, a UCP complaint must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3260 - Fees and Charges)
7. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6175 - Migrant Education Program)
8. A statement that complaints will be investigated in accordance with the District's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that the complainant has a right to appeal the District's investigation report to CODE for programs within the scope of the UCP by filing a written appeal, including a copy of the original complaint and the District's decision, within 15 days of receiving the District's decision
10. 10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable 11. A statement that copies of the district's UCP are available free of charge
11. The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the District web site and may be provided through District-supported social media, if available.

(cf. 1113 - District and School Websites)

(cf. 1114 - District-Sponsored Social Media)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and

parents/guardians with limited English proficiency, have access to the relevant information provided in the District's policy, regulation, forms, and notices concerning the UCP.

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

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist in the filing of the complaint. (5 CCR 4600) Complaints shall also be filed in accordance with the following rules, as applicable:

A written complaint alleging District violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4630)

1. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
2. A UCP complaint shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Board. (5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the District shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

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

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

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

The use of mediation shall not extend the District's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the District shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the District shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

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

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

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

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

A complainant's refusal to provide the District's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the District shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the District to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Investigation Report Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the investigation report at the same time it is provided to the complainant.

Investigation Report

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

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

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

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the investigation report shall also be translated into that language pursuant to Education Code 48985. In all other instances, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

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

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

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

(cf. 5137 - Positive School Climate)

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

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co curricular activities or other privileges as permitted by law (cf. 6145 - Extracurricular and Cocurricular Activities)
7. Disciplinary action, such as suspension or expulsion, as permitted by

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

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

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

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600) Appeals to the California Department of Education

Any complainant who is dissatisfied with the District's investigation report regarding any specified federal or state educational program subject to UCP may file an appeal in writing with the CDE within 30 calendar days of receiving the District's investigations report. (Education Code 49013, 52075; 5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including as least one of the following: (5 CCR 4632)

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

Upon notification by the CDE that the complainant has appealed the District's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the District's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the District's uniform complaint procedures
6. Other relevant information requested by the CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

Livermore Valley Joint Unified School District

Regulation BP 5332: Student Dress Code

Status: ADOPTED

Original Adopted Date: 06/05/2001 | Last Reviewed Date: 02/04/2020

The Board of Education believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or is likely to cause a substantial disruption to the educational program.

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, religion, household income, or body type or size.

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the District's dress code may result in disciplinary action.

Livermore Valley Joint Unified School District

Regulation AR 5332: Student Dress Code

Status: ADOPTED

Original Adopted Date: 06/05/2001 | Last Revised Date: 10/26/2023 | Last Reviewed Date: 10/26/2023

This regulation specifies standards that promote a positive and safe learning environment for students. Annual notice of this regulation shall be provided to students, parents, and staff. In addition, each school site council or other school committee shall regularly review these standards. District and

school dress codes shall be enforced on the school campus and at any school-sponsored activity. Appropriate dress for school dances, graduation activities, and other special events will be communicated to parents and students by the school.

Standards

Students shall dress appropriately for educational activities in which they will participate so as not to endanger their health, safety, or welfare, or that of others, or cause a disruption to the educational process.

1. Shoes shall be worn at all times unless not required as part of an instructional activity.
2. Clothing, accessories, and jewelry shall be free of writing, pictures, symbols or any other insignia which are crude, vulgar, profane, obscene, libelous, slanderous, or sexually suggestive. Clothing, accessories, or jewelry that degrade any cultural, religious, or ethnic values, that advocate racial, ethnic, or religious prejudice or discrimination, or that promote sex, the use of tobacco, drugs, or alcohol, or any unlawful acts are prohibited.
3. Dark glasses shall not be worn indoors, except for valid medical reasons authorized by the administration and verified in writing by a physician.
4. Clothes shall be sufficient to conceal undergarments. See-through tops and bare abdomens are prohibited.
5. Gang-related clothing or accessories, including but not limited to bandannas, or other symbols, emblems, or insignia are prohibited. School officials shall consider student history and information obtained from community agencies and resources when making these judgements.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. In addition, the principal or designee may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular and cocurricular activities.

Final determination of what constitutes appropriate dress shall be made by the school administration.

Discipline Procedures

The following procedures and consequences shall be followed when there have been violations of the Student Dress Code. When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

First Referral

The student shall be brought to the school office, and a parent/guardian contact shall be made. The student shall receive a warning and shall be reminded of the dress code requirements by the principal or vice-principal. A change of clothes is required. The student shall be sent home if necessary. The violation shall be documented.

Second Referral

The student shall be brought to the school office, and a parent/guardian contact shall be made. A change of clothes is required. A parent conference may be held as necessary. The student may receive detention and may lose school privileges. The violation shall be documented.

Third Referral

The student shall be brought to the school office, and a parent/guardian contact shall be made. A parent conference is required. The student shall receive detention and lose privileges. Community service may also be required by the school administration. The violation shall be documented.