Tracy Unified School District

HIGH SCHOOL STUDENT HANDBOOK

20245-20256

TRACY UNIFIED SCHOOL DISTRICT

TRACY UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES

~~Steve Abercrombie~~ **Jeremy Silcox**	Board President	~~sabercrombie@tusd.net~~ **jsilcox@tusd.net**
~~Jeremy Silcox~~ **RG Fagin**	Board Vice-President	~~jsilcox@tusd.net~~ **rfagin@tusd.net**
Lynn Dell Hawkins	Board Clerk	ldhawkins@tusd.net
~~RG Fagin~~ **Scott Secker**	Board Member	~~rfagin@tusd.net~~ **ssecker@tusd.net**
Olinga Alexander	Board Member	oalexander@tusd.net
~~Zachary Hoffert~~**Denise Cheeseman**	Board Member	~~zhoffert@tusd.net~~**dchesseman@tusd.net**
~~Navi Kahlon~~**Diane Taina**	Board Member	~~nkahlon@tusd.net~~**dtraina@tusd.net**

Dr. Robert A. Pecot
Superintendent
(209) 830-3201
(209) 830-3204 Fax
rpecot@tusd.net

Tania Salinas
Associate Superintendent of Business Services
(209) 830-3230
(209) 830-3269 Fax
tsalinas@tusd.net

Zachary Boswell
Associate Superintendent of Educational Services
(209) 830-3202
(209) 830-3209 Fax
zboswell@tusd.net

Tammy Jalique
Associate Superintendent of Human Resources
(209) 830-3260
(209) 830-3264 Fax
tjalique@tusd.net

Table of Contents

ACADEMICS 6
Academic Standards 7
Aeries Parent Portal Information 7
Academic Honesty 7
Assessments 8
Course Schedule/Class Changes 10
Early Graduation 10
Grading 11
Graduation Requirements from High School 11
Homework/ Make-Up Work 12
Honors Course Designations 13
Limitations on Credits 13
Report Cards 14
Recognition Programs 15
Scholarships and Financial Aid 17
Registrar 17
Required Information for Office Records 17
Review of Student Records 17
Transcripts 17
Work Permits 17
ATTENDANCE 18
Attendance Procedures 19
Absence Procedures 19
Travel Study 22
Unexcused Tardies 23
Truancy 24
School Attendance Review Team (SART) 24
School Attendance Review Board (SARB) 25
BEHAVIOR EXPECTATIONS INTERVENTIONS DISCIPLINE 26
DISCIPLINE PHILOSOPHY 27
RIGHTS AND RESPONSIBILITIES 28
Student Rights and Responsibilities 28
Parent Rights and Responsibilities 30
Teacher Rights and Responsibilities 30
Administrator Rights and Responsibilities 31
School Board Rights and Responsibilities 31
Alcohol and Drugs 32
Tobacco/e-Cigarette Use 32
Bicycles 32
Bullying 32
Cell Phones/Electronic Devices 33
Confiscated Items 33
Delivery of Items to School 33
Disrupting a Learning Activity 34
Dress Standards Philosophy 34
Driving 37
Eighteen-Year-Old Students 37

Fees and Fines....37
Gender Equity....37
Gum, Food, and Drink....37
Hats and Sunglasses....37
Liability for Use of School Property, Books and Equipment....38
Litter....38
Lockers....38
Lost or Damaged School Property and Fines....38
Nondiscrimination/Harassment....39
Parking....40
Restrooms....40
School Safety and Security Cameras on Campus....40
Skateboards....40
Student Identification Cards....41
Student Services....41
Student Safety Search/Seizure....41
Student Technology Guidelines....41
Unauthorized Group Attire and Paraphernalia....42
Unauthorized Group-Related Conduct/Activity....42
Visitors to the School....42
Work Experience....43
INTERVENTIONS TO DISCIPLINE....43
Restorative Discipline Practice....43
Conflict Resolution....43
Alternatives to Discipline....44
Community Service....44
Alternate Placement....45
Student Success Team (SST)....45
Discipline and Attendance Review Team (DART)....45
DISCIPLINE....45
Administrative Detention....45
Classroom Discipline....46
SUSPENSION AND EXPULSION....46
Grounds for Suspension and Expulsion....47
ATHLETICS/....51
EXTRA AND CO-CURRICULAR ACTIVITIES....51
ATHLETICS, EXTRA-and CO-CURRICULAR ELIGIBILITY....52
Definition of Extra and Co-Curricular Activities....52
Scholastic Eligibility....52
Good Behavior Eligibility....54
Attendance Eligibility....54
Behavior Expectations....54
Citizenship....55
Coaching and Community Responsibility....55
Code of Conduct for Athletic Activities....55
Athletic League Sportsmanship....55
School Spirit....55
Student Responsibilities While Competing....56
Team Responsibility....56
Violations - Extracurricular Activities....56

ACTIVITIES 56
Eligibility Requirements for Senior Activities 57
Field Trips 58
Student Government 58
PHYSICAL EDUCATION HEALTH AND SAFETY 59
PHYSICAL EDUCATION 60
Facilities 60
PE Uniforms 60
HEALTH 61
Accidents and Illness 61
Health Examinations 62
Interscholastic Athletic Competition 62
Administration of Medications 62
Immunizations 63
RIDE (Regional Immunization Data Exchange) 64
Type 2 Diabetes Information 64
Athletic Head Injury/Concussion/Cardiac Arrest 66
Suicide Awareness, Prevention & Intervention 66
Sexual Health and HIV Prevention Instruction 67
Medical Care Consent for Minors 67
California Healthy Kids Survey 67
Tracy Family Center 67
SAFETY PLAN AND EMERGENCY PROCEDURE 68
CONTRACTS AGREEMENTS 69
HIGH SCHOOL FIGHT CONTRACT 70
NETWORK AND COMPUTER RELATED RESOURCES USE AGREEMENT (AUA) 71
NETWORK AND COMPUTER RELATED RESOURCES 74
OFFICIAL TRANSCRIPT REQUEST FORM FOR CURRENT STUDENT 75
Extra and Co-Curricular Activity Probation Request Form 76
BOARD POLICIES AND ADMINISTRATIVE REGULATIONS 77
UNIFORM COMPLAINT PROCEDURES - BP 1312.3 78
UNIFORM COMPLAINT PROCEDURES - AR 1312.3 84
BULLYING PREVENTION POLICY - BP 5131.2 95
BULLYING INVESTIGATION PROCEDURES - AR 5131.2 100
UNAUTHORIZED GROUPS - BP 5136 (a) 106
UNAUTHORIZED GROUPS - BP 5136 (b) 107
UNAUTHORIZED GROUPS - AR 5136 108
SEXUAL HARASSMENT - BP 5145.7 113
SEXUAL HARASSMENT - AR 5145.7 117
TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES - AR 5145.71 121
NONDISCRIMINATION/ HARASSMENT - BP 5145.3 129
NONDISCRIMINATION/ HARASSMENT - AR 5145.3 132
KNOW YOUR EDUCATIONAL RIGHTS 140
EDUCATIONAL RIGHTS 141
Information Required for School Enrollment 141

ACADEMICS

Academic Standards
(BP 6011)

The Governing Board recognizes that district-wide desired learnings, benchmarks, and performance standards are necessary to clarify for students, parents/guardians, and staff what students are expected to know and be able to do at each grade level and in each area of study. The Board shall adopt high standards in student achievement that challenge all students to reach their full potential and ensure consistency of expectations among the district's schools and classrooms.

District standards shall be developed through a process that involves staff, students, parents/guardians, and community members. Standards shall be based on an assessment of the skills that students will need in order to be successful in higher education and the workplace, including basic skills, problem-solving abilities, and conceptual thinking. Special care shall be taken to ensure the proper articulation of standards among district schools.

District standards shall guide Board and staff decisions regarding the curriculum to be adopted, the sequential courses of study to be offered, and the assessments to be given. Staff shall continually assess student's progress toward meeting the standards and shall offer remedial assistance as needed. The standards shall also provide a basis for evaluating the instructional program and as required by law, for evaluating teacher performance.

While desiring district standards to be specific and comprehensive, the Board does not intend that these standards be so extensive as to describe everything that will be taught in the classroom. Staff shall have sufficient time and flexibility to determine the best instructional methods to use in preparing students to meet the standards. The Superintendent or designee shall ensure that district standards are regularly reviewed and updated as necessary in order to reflect changes in skills that will be needed by students and to ensure continuing support for the standards.

Aeries Parent Portal Information

The Aeries Parent Portal is a system by which parents can keep track of their student's schedules, grades and attendance at school. To sign up, parents need the following items: an email account, your student's names, home phone number permanent ID number, and VPC (verification pass code). If a parent has not previously signed up, they can come to the administrative office and see their child's counselor or the receptionist, show identification and receive the VPC number assigned to their student, then log on to https://sisweb.tusd.net/ParentPortal and click on "Create new account" to sign up for access to the information system.

Parent Square

The high school (Teachers and Administrators) will send out communication through Parent Square.

Academic Honesty

All work submitted by students should be a true reflection of their effort and ability. If it is not, then the student has demonstrated unacceptable behavior. The following instances are considered cheating:

- Claiming credit for work that is not the product of one's own honest effort. (including using AI)
- Providing unwarranted access to materials or information so that others may dishonestly claim credit.
- Submitting work done entirely or in part by another person. (including using AI)

- Giving test answers to another student or getting test answers from another student.
- Representation of another person's words or ideas as your own by not properly citing the source and giving the author credit. (including using AI)
- Copying from the internet. (including using AI)
- Copying from another student
- Knowledge and tolerating of the foregoing circumstances.

Any behavior, which can be defined as cheating, represents a violation of mutual trust and respect essential to education. Students who cheat should expect to be confronted by their teacher and be subject to the following penalties.

- A "zero" on submitted work.
- Possible disciplinary referral. **Disciplinary actions could include detention, class suspension, letter of apology, other interventions as determined by the site administration.**
- Notification of parents.
- If a student is found to have cheated a second time or is involved in a particularly serious act of cheating, the student will be referred to the Principal/Designee for a formal hearing of those concerned (student, teacher, parents, counselor, administrator). Consequences may include suspension from class, ~~school or loss of class credits~~. **a grade of an "F" for the grading period.**

Assessments

The Governing Board believes that the primary purpose of assessment is help students, parents/guardians and teachers identify individual students' academic strengths, weaknesses, and progress in order to inform instructional practices to increase learning. Assessment should also be an important component of the district's program evaluation process.

The Governing Board recognizes that a variety of evaluation measures are needed in order to reach the above goals. To have validity, tests must correspond to the material being taught and measure the extent to which students meet clearly specified standards of achievement.
In addition to teacher created assessments, the District administers mandatory student assessments as provided by the State Board of Education.

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

California Assessment of Student Performance and Progress (CAASPP)

The California Assessment of Student Performance and Progress (CAASPP) System was established in 2014. The CAASPP System includes the following:

- ***Smarter Balanced Assessment Consortium Assessments***
  The Smarter Balanced computer adaptive assessments are aligned with the Common Core State Standards (CCSS). English language arts/literacy (ELA) and mathematics tests are administered in grades three through eight and grade eleven to measure whether students are on track to college and career readiness. In grade eleven, results from the ELA and mathematics assessments can be used as an indicator of college readiness.

- ***California Science Tests (CAST)***
  The computer-based CAST measures students' achievement of the California Next Generation Science Standards (CA NGSS) through the application of their knowledge and skills of the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts. The CAST is administered to all students in grades five and eight and once in high school (i.e., grade ten, eleven, or twelve).

- ***California Alternate Assessments (CAAs)***
  Only eligible students—students whose individualized education program (IEP) identifies the use of alternate assessments—may participate in the administration of the CAAs. Test examiners administer the computer-based CAAs for ELA, mathematics, and science one-on-one to students. Students in grades three through eight and grade eleven will take the CAA for ELA and mathematics. Test items developed for ELA and mathematics are aligned with the CCSS and are based on the Core Content Connectors.

  Students in grades five and eight and once in high school (i.e., grade ten, eleven, or twelve) will take the CAA for Science. The CAA for Science embedded performance tasks are based on alternate achievement standards derived from the CA NGSS. Students taking the CAA for Science will take three embedded performance tasks in spring 2019.

- ***California Spanish Assessment (CSA) for Reading/Language Arts***
  The optional CSA for Reading/Language Arts in Spanish is aligned with the California Common Core State Standards en Español. This computer-based test allows students to demonstrate their Spanish skills in listening, reading, and writing mechanics.

  Pursuant to California Education Code Section 60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

The English Language Proficiency Assessments for California (ELPAC)

California will transition from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC) in 2017–18. The ELPAC is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP) assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students' English language proficiency level and to measure their progress in learning English.

Physical Fitness Test (PFT)

The physical fitness test for students in California schools is the FitnessGram®. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades five, seven, and nine take the fitness test.

California Department of Education | August 2018 For more information on these assessments, visit the California Department of Education website at: English Language Proficiency Assessment for California (ELPAC) https://www.cde.ca.gov/ta/tg/ep/ Physical Fitness Test (PFT) http://www.cde.ca.gov/ta/tg/pf

The California Department of Education has a parent page that can be used to search for assessment data

about schools and districts at https://www.cde.ca.gov/ds/ad/dataquest.asp

Course Schedule/Class Changes

Your student's course schedule of classes is determined during the spring prior to entering high school and each year thereafter, or at registration of new students. Class changes are difficult to accommodate because the overall master schedule of classes is based upon student requests made during pre-registration. Therefore, the best way to obtain the course that you want is to sign up for it during pre-registration. Program changes will only be made to accommodate the following situations:

a. To balance class size.
b. Credit has previously been earned in the course. Inappropriate placement in the class (i.e., level, subject). This category must have a teacher signature and comment.
c. Scheduling errors (i.e., two second periods, no fourth period or course was not listed on registration sheet).
d. Student has not taken the necessary pre-requisites to meet course requirements.
e. Upper classmen need the course for graduation.
f. Student is enrolling in work experience.

Requests for the above situations must be made during the first 10 days of instruction. After the tenth (10th) day of instruction, class changes will be initiated only if a student is misplaced academically. In addition, changes to teacher and changes to periods cannot be accommodated.

To request a schedule change for one of the above circumstances, please do the following:

1. Pick up a class change form from the counseling office before school, during lunch or after school.
2. Complete the appropriate areas.
3. Have your parent/guardian sign the Schedule Review form.
4. Return the signed form to the counseling office for review.
5. Wait for your counselor to contact you regarding the Schedule Review.
6. Continue to attend the course(s) listed on your schedule until the counselor has made an official program change.

Early Graduation

Early graduation petitions must be submitted to the school site administration in a timely manner. The student must be enrolled in all classes needed to graduate and have passed all proficiencies. The petition must be signed by the student, parent/legal guardian, counselor, and the school principal, and must include:

1. A rationale for the request to graduate early;
2. An action plan for completing the required course work for early graduation;
3. A complete record of the student's grades and credits earned to date;
4. And the attendance record for the student.

Once completed, the petition to graduate early must be submitted to Student Services for review, then to the Board of Trustees for final approval. Students who graduate at the end of the first semester will not be allowed to participate in second semester senior activities. The student will be allowed to participate in the graduation ceremonies and post-graduation activities, subject to the approval of the principal. Students who

graduate early must be in good behavior standing in order to participate in the graduation ceremony and any post-graduation activities.

American Government, Economics and English IV courses shall be primarily limited to twelfth grade students and to students who are age appropriate for twelfth grade. Enrollment of eleventh grade students in senior required courses will be based on space availability, student grades and attendance, and the ability of the student to graduate early.

Grading

The purpose of grading is to communicate the level of achievement in the educational program to students, parents, institutions of higher learning, prospective employers, counselors, and other schools the student might attend. The symbols used and the meaning of each symbol is as follows:

A	Excellent Achievement
B	Above Average
C	Satisfactory Achievement
D	Below Average, but Passing
F	Failure to Meet Minimum Standards

To ensure accuracy of academic progress, grades will be updated every two weeks.

"NM" A No Mark (NM) is assigned when a student has been absent due to illness for an extended period of time, is absent during the final test, or is new to the school and has been enrolled for at least 20 school days. Students who receive a "No Mark" due to absences have the first 3 weeks of the next quarter to complete their incomplete work.
Failure to complete this work will result in the NM converted to an 'F'.

"I" An Incomplete (I) is assigned if a student has outstanding work that was due during the grading period and which needs to be made up. If a student cannot make up the work, he/she will be assigned the appropriate grade. If the work can be made up, the student will receive an "I". All "I" grades must be cleared by the end of the third week of the next grading period or they automatically become an "F". For purposes of eligibility, an "I" counts as an "F".

Graduation Requirements from High School

A student must complete 220 credits and will normally carry a minimum of thirty credits each semester while in school. A standard class is worth 5 credits per semester, 10 credits per year. Students must complete the total number of credits in each of the areas listed below:

English	40	credits
Social Studies	30	credits
Science	30	credits
Math	20	credits
Fine Arts or Foreign Language	10	credits
Physical Education	20	credits
Required Course Total	150	credits
Elective Courses	70	credits

TOTAL 220 credits

All students must take and pass at least two years of math while enrolled in high school and one of the two classes must be Algebra I. This requirement may be completed in grade 8.

For high school students ~~graduating in **2025** and after~~, three years of science is to include one course in biology, one course in chemistry or physics, and one other **science course**. All science courses must be aligned to the 2013 California Science Standards.
~~All students will demonstrate mastery of district identified technological skills.~~

Homework/ Make-Up Work

(BP 6154)

The Governing Board believes that homework serves many purposes. Research supports that homework is an essential part of a student's academic achievement. Through their homework, students can reinforce academic skills taught in school, learn how to conduct research effectively, develop ideas creatively and become life-long learners.

The Board believes that homework is the responsibility of the student. It is the student's job to develop regular study habits and to do most assignments independently. The Board encourages teachers at all grade levels to use the parent as a contributing resource and to structure homework assignments so as to involve the parent to help oversee homework without diminishing the student's sense of responsibility. To be effective, homework assignments should not place an undue burden on students and families. Homework should reinforce learning objectives and state standards.

Homework reinforces student learning to meet state and district standards.

- Homework is planned, systematic, selectively checked and graded.
- Homework is clear, specific, and relevant.
- Homework is a combination of skill reinforcement and exploration.
- Long-term homework assignments will have checkpoints for completion and while students may work on them over holidays and weekends, ample time will be allowed to complete them during the week and prior to holidays.
- Homework will be reviewed in class and returned in a timely fashion.
- ~~K-5 students will not be required to complete homework on holidays and intercessions. K-5 students will not typically be given homework on weekends. 6-8 students will not be required to complete homework on intercessions. 6-8 students may be given limited homework on holidays and weekends.~~
- Unfinished classroom work may be sent home to be completed but should not be required in addition to homework. Unfinished classroom work can be done at recess and after school.
- Regular reading at home on a nightly basis is encouraged but not required in addition to the assigned homework.

Homework Tips for Parents

- When there is a specific assignment, the best way for parents to help a child learn is by offering support when it is requested. At the same time, limits need to be set so that children learn to work independently. Even when children do not have specific assignments due, parents can be helpful by listening when children talk about school and by expressing interest in class work and school activities.
- Talk with teachers if assignments seem to be causing students continuing problems.
- Share thoughts and ideas with children on many topics of interest.

- Share thoughts and ideas with children on many topics of interest.
- **Teach your child to advocate for themselves and talk to their teacher.**
- ~~Read to your child.~~
- In helping students with homework, parents should:
    - Show interest in the student's work.
    - Encourage the child to work independently most of the time.
    - Provide a suitable place for study, free from distraction, and if possible, reserved for that student alone.
    - Check to see the homework assignments are completed, and reasonably neat and correct.
    - Assist in balancing school work with other activities.

If you feel that your student's teacher is not following Board Policy 6154: Homework, please take the following steps: 1) Contact your student's teacher and discuss his/her homework practices, if it is not resolved then; 2) Contact your school principal, if it is not resolved, then 3) Jason Noll, Director of Student Services at 209- 830-3280.

Make-up Work

- Students shall be given the opportunity to make-up work missed because of an excused absence and shall receive full credit if the work is turned in according to a reasonable make-up schedule. Typically, each day of excused absence merits a make-up day.
- No student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable time.
- Teachers must provide work to any student who has been suspended for two or more school days upon the request from the student, parent, legal guardian, or other person holding the educational rights of the student. Work must be returned to the teacher by the student either upon the students return to school or within the time frame prescribed by the teacher, whichever is later. **(Ed Code 48913)**
- Students who miss schoolwork because of unexcused absences may or may not be given the opportunity to make-up missed work for full or reduced credit. Teachers may assign such make- up work as necessary to ensure academic progress, not as a punitive measure.
- Teachers need at least twenty-four hours to supply make-up work.
- Teacher's procedures and processes for make-up work should be clearly explained to both students and parents in the individual class syllabus.

Honors Course Designations

Courses designated as honors courses and eligible to receive extra grade point weighting in the calculation of student grade point averages will be those classes that have been approved as honors level courses by the University of California. All honors courses will be identified as having an (H) adjacent to the course title. Please contact your child's counselor for a list of classes that have been approved as an honors level course by the University of California.

Limitations on Credits

1. Except where specified, courses which are repeated earn credit one time only. In the instance where a course is repeated, the second set of grades will be included on the student's permanent record.

2. A maximum of forty (40) credits from any work experience education may be credited toward graduation requirements. Students may be enrolled in no more than two (2) periods of outside work experience.

3. A maximum of ten (10) credits from any combination of teachers' aide, office aide, tutor, library aide, etc., may be applied toward graduation. These credits can only be earned during the 11th or 12th grade.

4. A maximum of forty (40) credits of physical education may be credited toward graduation requirements.

5. Units of credit earned at all other accredited schools and correspondence schools may be transferred. Units from correspondence schools must have prior approval by the student's counselor and administrator before students enroll in these courses for High School credit.

6. By arrangement, and with prior approval, certain units earned concurrently at other institutions may also be accepted toward graduation. ROP/ROC classes and centers are examples and more information can be obtained from the counseling staff.

7. Units of credit earned on independent study must have prior approval of the student's counselor and administrator.

8. Units of credit earned at non-accredited schools are not accepted. Please see your counselor for the District's credit review process.

9. Units of credit received through Tracy Adult School must have prior approval of the student's counselor and/or administrator to be applied toward graduation from High School.

10. Units of credit earned from an institution of higher learning; i.e., an accredited community college or a four (4) year college; may be considered for graduation only if the following criteria are met:

a. The student must be currently enrolled at High School.
b. The student must obtain prior written approval from the High School principal and the junior college or college involved in order for units of college credit to be applied toward high school graduation.
c. The student must be enrolled in at least four classes at High School during the semester he/she is concurrently enrolled at a junior college or college.
d. Consideration for credit transfer will not be granted to former students who left High School before graduation and who are not age appropriate for re-enrollment.

Report Cards

Report Cards are issued four times a year. They are issued approximately two weeks after the conclusion of each quarter/ semester.

Progress Reports

In order to let you and your parents know if your work is below standard, progress reports are issued four times a year, mid-way through each quarterly grading period. These reports are sent to the parents of all students. Please note that if you receive a "D" or "F" or "in danger of failing" on your progress report, you should schedule an appointment with the teacher(s) of that class immediately in order to develop a plan of action to help you pass the course. The marks "D", "F" or "In Danger of Failing" on a progress report indicates that students are in danger of failing and that they need to take immediate action to improve their grade. Parents can view their student's attendance, schedule, transcript, and grades from home via the Aeries Parent Portal.

Recognition Programs

At TUSD we believe in recognizing and reinforcing positive behavior and academic excellence. Staff members choose a student for the recognition program. Students are chosen based on their attendance, leadership, citizenship, extra-curricular activity involvement and other criteria. All students who are recognized receive a letter of recognition and certificate.

The following recognition programs are offered at each high school campus:

Academic Block Letter

Students may earn an Academic Block Letter. The criteria is straight A's or GPA of 4.0 or higher as follows:

- Freshmen with straight A's or a GPA of 4.0 or higher in their first semester are eligible.
- Sophomores, Juniors, or Seniors with straight A's or a GPA of 4.0 or higher in either of their two most recent semesters are eligible.
- In order for students to earn their Block Letter using straight A's or a GPA of 4.0 or higher, they must take a minimum of three courses from the University of California A-G list during their straight A or GPA of 4.0 or higher semester.

Cumulative Academic Grade Point Average (ACA GPA) for the Academic Block Letter:

At the end of the first semester of the school year, sophomores with an academic GPA (9-12) of 3.93 or higher on their transcript, juniors with an academic GPA (9-12) of 3.85 or higher on their transcript, and seniors with an academic GPA (9-12) of 3.75 or higher on their transcript are eligible.

- In order for students to earn their Academic Block Letter using their Academic Grade Point Average (9-12), they must have taken a minimum of three courses from the University of California A-G list each semester of high school they have completed. The A-G list is available in the Counseling Center.

- Academic Block Letters will be awarded once per year after the close of the first semester. For more information regarding the Academic Block Letter read your daily bulletin and the "Academic Block Letter Instructions for Candidates" application form. Applications must be picked up, completed, and returned to the Library.

California Scholarship Federation (CSF)

Students may apply to join the CSF during the first quarter of the school year. Specific deadline dates are announced in the daily bulletin. Applications are approved based on a point system, as follows:

"A" in any class	= 3 points
"B" in an honors class	= 2 points
"B" in any other class	= 1 point
"C" in any class	= 0 points

"D or F" in any subject bars membership

Classes are divided into three "lists" according to their subject matter. Students list their five "best" classes on the CSF application using the list criteria, assigning them the appropriate points. A total of ten (10)

points are needed to become a member.

Honor Roll

At the close of each semester, a student who has maintained a minimum of 3.5 GPA and has received no "F" grades will be placed on the Honor Roll. Students who maintain a minimum GPA of 4.1 and no "D's or F's" are placed on the Principal's Honor Roll. Approximately three weeks after the grading period has ended the Honor Roll and Principal's Honor Roll lists are posted in the administrative building.

Valedictorian and Salutatorian

Valedictorians and salutatorians must meet the following requirements:

1. Take a minimum of 120 units at Kimball High School to be the Valedictorian or Salutatorian at Kimball High School.
2. Take a minimum of 120 units at Tracy High School to be the Valedictorian or Salutatorian at Tracy High School.
3. Take a minimum of 120 units at West High School to be the Valedictorian or Salutatorian at West High School.

   For the purpose of valedictorian/salutatorian selection, successful completion of a course in the third quarter of the senior year will be considered successful completion of the second semester.

4. Take at least the minimum number of A-G classes required for admission to the University of California. Complete all A-G classes with a grade of "C" or better. Third quarter senior grades will be considered second semester senior grades for the purpose of valedictorian/salutatorian selection.

5. Take at least four semesters of honors classes during the junior year and at least four semesters of honors classes during the senior year.

Students who meet the three requirements above will be eligible to be the valedictorian or the salutatorian. The student with the highest grade point average using a four-point scale (calculated to two places after the decimal with honor points not included) will be declared valedictorian.

The student with the second highest grade point average using a four-point scale (calculated to two places after the decimal with honor points not included) will be declared the salutatorian. Grades earned during the third quarter of the senior year will count as second semester grades and must be averaged in to determine candidates' grade point averages. For the purpose of valedictorian/salutatorian selection, candidates must include all grades earned after August of the beginning of their freshman year. Candidates may exclude high school grades earned prior to the actual beginning of their freshman year.

In case of a tie, the tie will be broken in the following manner:

1. The student with the highest number of honors classes during his/her junior and senior year, at their respective high school, will be declared the winner. This number will include classes completed and classes being taken during the third quarter of the senior year.
2. If there is still a tie, the student with the highest GPA from honors classes only will be declared the winner.
3. If there is still a tie, the students will be declared co-valedictorians and therefore no salutatorian will

be named.

4. The computerized report card/transcript ranking is not applicable.

Scholarships and Financial Aid

Practically all colleges and universities offer scholarships of varying amounts to deserving high school seniors. If you are interested in obtaining a scholarship from a particular college, ask the Career Center personnel or your counselor for information. Most scholarships are awarded on the basis of financial need and scholastic standing (grades). Seniors desiring a scholarship grant of financial aid for post high school education should begin the application process as soon as possible after the beginning of the school year. Important information relating to scholarships and deadlines is communicated through the bulletin and on the Scholarship Board in the Career Center. It is each student's responsibility to listen to and/or to read the bulletin and often check the scholarship board. Questions regarding specific scholarships may be directed to the Career Center Clerk or your counselor.

Registrar

The Registrar's Office ensures accurate student records are kept and is available to assist you with questions you may have regarding report cards or transcripts. The Registrar's Office also takes telephone, or other general or emergency information changes. Please see the Registrar to obtain the appropriate form. Students or parents may phone the Registrar's Office with any questions.

Required Information for Office Records

Individual student office records must be kept accurate. Current telephone numbers, place of employment of parents and physician's names are all necessary in case of an emergency. Please include work phone numbers. All changes must be made in person at the school, by the legal guardian with the educational rights.

Review of Student Records

During the course of your child's education, we will keep records as deemed necessary to provide a program that will meet his/her needs and interests. You have the right to inspect and review these records. This material is available for review at a mutually convenient time during the regular school day. Please contact your child's principal to obtain the form to be completed to establish your relationship to the child, if you wish to review these records.

Transcripts

Parents may view their student's transcript and grades from home via the Aeries Parent Portal. Official transcripts may be requested at www.parchment.com

Work Permits

Students must have a minimum 2.0 GPA and no more than 15 hours of Saturday School accumulated. A student with a work permit who exceeds 15 hours of Saturday School will have their work permit suspended and there will be no grace period. A maximum of 15 hours of Saturday School will be allowed. Once the permit is suspended, the employer will be notified and the student will not be allowed to return to work without a new work permit. When the student's Saturday School hours return to 15 or below, the work permit will be reissued. The reissue process will only be done one time per student.

ATTENDANCE

Attendance Procedures
(BP/AR 5113)

All students are required to attend 6 classes or take 30 credits per semester. The Tracy Unified School District Board of Education expects all students to attend class on a daily basis each day that school is in session, unless they must be absent for an excused reason. The High School will maintain accurate records of student attendance and will notify parents of excessive student absences. Parents are expected to send students to school or to promptly notify the High School if their student is going to be absent. Parents are encouraged to check their students' attendance on a regular basis by telephoning the Attendance Office and/or accessing the Aeries Parent Portal account.

Absence Procedures

Please call or e-mail the school on the date of the absence. If unable to do so, students should bring a note to school to clear the absence when they first return to school. It is the student and parent/guardian responsibility to verify an absence, and they must do so within 48 hours upon returning to school. An auto dialer will notify parents/guardian when a student is absent from school a portion of the day.

1. Parents are responsible for notifying the school between 7:20 a.m. and 3:30 p.m. whenever their student is absent. Parents may call the attendance office and/or send a note with the student upon his/her return to school. All notes must contain the following information:
   - Name of student
   - Date(s) of absence
   - Specific reason for absence
   - Daytime phone number where a parent may be reached
   - Parent's signature
2. If a parent has called to report a student's absence, the student will not be required to obtain an admit slip, and the corresponding absence code will have been entered into the attendance program. Upon returning to school, if a student has a note, he/she must obtain an admit slip at the Attendance Office window before school starts. The attendance office window is open at 7:00 a.m. every day for the purposes of issuing admit slips to clear absences. A student must bring an absence note to the office early enough so that he/she will be in first period class by the time the tardy bell rings A student who is late to his/her first period class will receive an unexcused tardy. A student returning to school after being absent will not be admitted to class without an admit slip or being cleared on the computer. Students needing to obtain an admit slip before school and after first period; need to report to the Attendance Office window. After leaving school for medical/illness/personal absence, a student must return their check out slip and any other required documentation (doctor's note).
3. Any student whose absence code is marked "A" for a particular class period must be sent to the Attendance Office to receive an admit slip for the designated period(s).
4. To clear an absence, a student must bring a note from a parent or doctor, or the student's parent may call the attendance office. Students have only 48 hours upon their return to school in order to clear an absence. NOTE: Students are not permitted to use office telephones to clear an absence. If the absence is not cleared within 48 hours, the absence becomes a truant.
5. A student returning to school without a call or a note from a parent or a note from a doctor will be considered truant and assigned to Saturday School. If a student brings in a note within 48 hours of returning to school, he/she will not be required to serve Saturday School. If a student does not bring in a note when first returning to school, but does bring in a note within 48 hours, he/she

must take the note to the Attendance Office to obtain a second admit slip. A student must show the admit slip to all of his/her teachers in order to clear the absence and obtain make-up work.

Please call the school on the date of the absence. If unable to do so, students should bring a note to school to clear the absence when they first return to school.

6. Students enrolled in a zero period must also be enrolled in first through fifth periods. Students may take a sixth period or be excused for the day. Students enrolled in zero through fifth period must leave campus immediately after fifth period. Students with school obligations after school may return for the obligation. All students are required to attend six classes or take 30 credits per semester.

Attendance Consequences

1. A student will receive four hours of Saturday School for being truant for two or more periods.
2. A student assigned to Saturday School must serve the Saturday School on either of the dates assigned (within two week interval). ~~Failure to attend Saturday School after assignment will be considered defiance of authority (Education Code 48900) and will result in suspension from school.~~ Continued failure to attend Saturday School will result in a referral to the School Attendance Review Board (S.A.R.B.).
3. Attendance letters will be mailed on a bi-weekly basis for students on the 24th, 48th, and 66th class period unexcused absence. A School Attendance Review Team (SART) will be recommended. Included in the meeting will be the student, parent(s), counselor, assistant principal, and other school personnel as needed (e. g., school resource officer, school psychologist, nurse). The team will meet, even if the parent cannot be in attendance, to devise a plan to promote a positive change in the student's attendance. The parent will be advised of the plan and assistance will be requested. NOTE: An unexcused absence is considered 'truancy'.
4. A student with a work permit who exceeds 15 hours of Saturday School will have their work permit suspended.
5. Juniors and seniors who abuse off campus lunch privileges or who accumulate more than 15 Saturday School hours at any time during the year, will lose their off campus lunch privileges and may be subject to other disciplinary action.
6. After the 10th unexcused absence from a class in one quarter, the student will be referred to the Assistant Principal for the SARB process.
7. A student owing more than 15 hours of Saturday School will be placed on Activity/Social Probation until Saturday School hours are reduced to 15 hours or below.
8. A student who leaves class without permission will be marked truant and will be subject to disciplinary action. Failure to check out and receive an off-campus pass through the attendance office will result in being considered truant. Appropriate consequences will then be assigned.
9. The maximum amount of roll over hours for each grade level will go as follows:
   9th to 10th grade: 15 hours
   10th to 11th grade: 30 hours
   11th to 12th grade: 45 hours
10. Students assigned to Saturday School can only serve their hours:
    (a) By attending regularly scheduled Saturday Schools. These are held every Saturday from 8:00 a.m. to noon in the cafeteria. Students receive 4 hours credit for attending.
    (b) By having ten days of Perfect Attendance. Students who have ten days with no tardies or absences will have 12 hours of Saturday School cleared. To receive Perfect Attendance credit,

students must serve one day of Saturday School during those 10 days of Perfect Attendance. It is the student's responsibility to notify the attendance office of having 10 days of perfect attendance.

(c) By participating in Trash on Wheels Program. Students are assigned on first come basis. Students receive 2 hours credit for each day of participation. To receive Trash on Wheels credit, students are directed to serve one day of Saturday School for each Trash on Wheels duty.

(d) By participating in pre-approved community service hours

(e) Students cannot bank Saturday School hours for future unexcused absences.

Excused Absences

Excused absences will be granted for the following reasons:

1. Personal illness; a doctor's note is required if over 5 days.
2. Quarantine under direction of a county or city health officer.
3. Medical, dental, optometrist or chiropractic services. Students are strongly urged to make appointments during non-school hours.
4. Attending funeral services of an immediate family member, which shall be limited to one day if the service is conducted in California, or three days if the service is conducted out of state. For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household.
5. Jury duty.
6. Illness or medical appointment during school hours of a child to whom the student is the custodial parent.
7. Upon advanced written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to:
    a. appearance in court
    b. attendance at a funeral service
    c. observation of a holiday or a ceremony of his/her religion; attendance at religious retreats, not to exceed four hours per semester
    d. attendance at an employment conference
    e. attendance at educational conference offered by a non-profit organization on the legislative or judicial process
8. Service as a member of a precinct board for an election pursuant to election codes 12302.
9. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy.
    a. In such instances, the student shall attend at least the minimum school day.
    b. The student shall be excused for this purpose for no more than four days per school month.
10. Exclusion for not having been properly immunized; these absences will not be excused for more than 5 days.
11. *Approved travel study. (See explanation of travel study on page 22)

Any pupil who is a dependent of military personnel shall be granted up to 5 days of excused absence or independent study when the parent is either deployed or returning from a deployment.

Students should not be dropped off any earlier than 5 minutes prior to the opening of the school breakfast program. Students should be picked up from school no later than 15 minutes after the dismissal bell. Inter/Intra-district transfers may be revoked due to violations of these times.
Students who are not participating in approved after-school extra-curricular or athletic programs must leave the campus within 15 minutes of dismissal. Continuous violation of this policy may result in the student being transported to Tracy Police Department for supervision and parent notification.

Unexcused Absences

Students may not be allowed to make up work missed if an absence is unexcused. Unexcused absences are generally those that are not excused absences. Listed below are the most common reasons given for absences that will be considered unexcused:

1. Family vacations and extended weekend trips.
2. Oversleeping
3. ~~Ditching~~ **Truancy**
4. Car trouble
5. Any absence considered excused which is not cleared by a parental or doctor's note within 48 hours of returning to school.

This list is not all-inclusive. If you have specific questions regarding unexcused absences, please contact the attendance office.

Travel Study

Travel Study is a program available to students who must leave school for 5 or more days. This program provides students with the opportunity to maintain their grades and credits in their classes. Students who fit the above criteria and who wish to utilize the Travel Study program should contact the Attendance Office more than 5 school days prior to leaving school to obtain and complete the appropriate forms. The contract must be approved by the Principal or his designee. The Principal's signature is required PRIOR to beginning Travel Study. Students not completing travel study forms and receiving approval in advance will not receive credit and will be considered unexcused. Upon returning to school, the homework should be attached to the travel study sheets and turned in immediately to the teachers to grade. When the work is graded, a bottom portion of the form is forwarded to Attendance and the absences are excused.

Student must return to school on the contracted return date and submit work to their teacher. If the student does not return to school on the contracted return date, the entire contract will be void, and absences will be considered unexcused and will count towards truancy limits.

Saturday School Rules

1. All TUSD handbook rules must be followed.
2. Student handbook violations will result in early dismissal, parent contact, and referral to an Assistant Principal and may result in loss of hours served. Students who leave early will not receive credit for any hours served.
3. No hats, gum, sunglasses, food, drinks, or electronic devices are allowed. **(other than TUSD approved devices)**
4. **Students should come to Saturday School with a charged TUSD device**
5. A student must have permission to leave his/her seat for any reason.
6. Late arrivals will not be admitted.

Please note that pre-approved absences, illness verified by a doctor's note, or verified family emergencies are the only acceptable excuses to miss school.

~~***Perfect Attendance to clear Saturday School Hours***~~

~~Students can clear Unexcused Absences (Saturday School Hours) with Perfect Attendance. Two weeks of perfect attendance (10 days without absences, tardies can be applied to clear up to twelve(12) hours of unexcused absences. However, a student MUST APPLY for this clearance. Applications may be obtained from the Attendance Office. Hours cannot be "banked" for future unexcused absences. To receive perfect attendance credit, students are to serve one day of Saturday School within the ten (10) days of perfect attendance.~~

Obtaining Attendance Information

Parents who have concerns regarding a student's attendance habits may request an attendance printout from the attendance office, check the AERIES Parent Portal, and/or request a conference with an assistant principal. Attendance is updated daily; posting of grades to the system is at the discretion of the individual teachers.

Excessive Absences for Illness

When a student has had 5 or more absent days in a row a physician's note will be required to excuse the missed days. When a student has 18 or more excused/~~unexcused~~ absences in a given year a physician's note will be required to clear absences for one calendar year.

~~Completion of Assignments~~

~~The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments and tests missed during the suspension. Teachers must provide work to any student who has been suspended for two or more school days upon the request from the student, parent, legal guardian, or other person holding the educational rights of the student. Work must be returned to the teacher by the student either upon the students return to school or within the time frame prescribed by the teacher, whichever is later. (Education Code 48913).~~

Unexcused Tardies

Every instructional minute counts and student tardiness interferes with the learning process. Please be respectful of your teacher and fellow classmates and be on time to class.

A tardy is defined as arrival to class after the tardy bell rings. Arrival to class more than 30 minutes late will constitute truancy in addition to the tardy consequences.

Teachers may give classroom consequences for tardies, which should include natural consequences. Teachers will outline their consequences in their syllabus.

School Messenger will automatically phone parents alerting them each time their student is tardy. If you feel you have received a message notifying you of a tardy, in error, please contact your child's teacher.

Students who reach the following cumulative number of tardies in a quarter will receive the following administrative consequence in addition to the teacher's consequence:

# TARDY	CONSEQUENCES
5	Administration conference with student and parent contact
10	Administrative Meeting, District Attendance Review Team (School Attendance Review Team) Contract for Tardies, Loss of off campus pass, assign Administrative Detentions
15+	Administrative Meeting, Activity Restriction, Administrative Detention

Activity Restriction

When a student reaches 15 cumulative tardies in one quarter they lose the privilege of participating in extracurricular activities including but not limited to athletics, dances, clubs, extracurricular fieldtrips, etc. This will reset each quarter. For athletes, this restriction includes games. **Activity restriction may be used as an alternate to suspension.**

NOTE: Failure to serve a teacher's assigned detention will be considered a defiance of authority and appropriate teacher consequences will be administered. (Education Code 48900 k)

Truancy

A student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is considered a truant and shall be reported to the attendance supervisor or to the Superintendent of the school district. (Education Code 48260)

School Attendance Review Team (SART)

A School Attendance Review Team may be convened after a student has been declared truant. During this meeting a plan may be developed to correct a student's attendance.

A student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian after either of the two previous reports is considered a habitual truant. (Education Code 48262, 48264.5)

A habitual truant will be referred to the School Attendance Review Board (SARB.)

Pre-SARB Process

Number of Unexcused Absences	Consequence
3 days/24 periods of unexcused absences	Initial Truancy Letter sent home
6 days/48 periods of unexcused absences	Second Truancy letter. Parents meets with the site administrator

9 days/66 periods of unexcused absences	Third Truancy letter. Parents meet with the site administrator.

School Attendance Review Board (SARB)

The SARB is a panel comprised of teachers, administrators, counselors, law enforcement officials, and community representatives that utilize school/community services to help students resolve problems dealing with irregular school attendance or habitual truancy.

SARB is a strategy that utilizes school and community resources to help students improve their attendance and deal with barriers to school attendance. At the SARB hearing, the panel will decide which interventions they would like to implement in order to help resolve the students' attendance issues. The School Attendance Review Board also has the authority to refer habitually truant students, as well as their parents, to the District Attorney for appropriate legal action.

A student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements above, is considered a chronic truant. (Education Code 48263.6) A chronic truant may be referred to the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)

BEHAVIOR EXPECTATIONS INTERVENTIONS DISCIPLINE

DISCIPLINE PHILOSOPHY

It is important that each individual develop sound social judgment and be allowed frequent opportunities to exercise this judgment and the self-discipline which must accompany it. Students and teachers are entitled to an environment in which maximum learning and teaching can take place. In order to guide students to become responsible, self-disciplined individuals who are free to pursue academic studies, an appropriate amount of external discipline might be necessary.

All societies have rules. All students are expected to follow all classroom and school rules. Our aim is to improve the learning environment through positive reinforcement of good behavior and consistently applied consequences for inappropriate behavior. With the cooperation of parents, parent volunteers, students, and school personnel, we can maintain schools where teachers teach and children learn.

This document outlines behavior expectations for students and gives examples of possible consequences should rules be broken and constitutes the Student Conduct Code for the school. Parents and the school are partners in good discipline. The school will notify parents, whenever possible, if their student is having a behavior problem at school. We enjoy and anticipate good parent support for our discipline plan. State law and good parenting require parents to respond to all school requests for parent conferences. Notification of parents will include telephone calls and/or written communications.

Clarity of expectations and equality of treatment of students are important. The staff and Board of Trustees of Tracy Unified School District strive to clarify what is expected of students, help students develop their own sense of responsibility, assist students in understanding their own rights and establish the consequences for misbehavior.

The Student Conduct Code provides an indication of the types of violations and potential consequences that may apply to students whose behavior is related to school activity or attendance which occur at any time, including but not limited to the following:

(1) While on school grounds
(2) While going to or coming from school
(3) During either lunch period, whether on or off the campus
(4) During the period that school is in session when the student is truant from school, and
(5) During, or while going to, or coming from a school sponsored activity.

It is important that students continue to respect the rights of private property owners when leaving and returning to campus. Students are responsible for not loitering on private property and keeping litter from neighboring streets.

Students are not allowed on other campuses without authorization during the school day (before school, during school, at lunch, after school).

FOR MORE EFFECTIVE COMMUNICATION…

WHEN YOU HAVE A QUESTION OR CONCERN REGARDING YOUR CHILD, PLEASE…

1. Discuss matters with your child's ……. TEACHER(S)
   … if question or concerns remain,

2. Discuss matters with your child's ……. PRINCIPAL/ASSISTANT PRINCIPAL
   … if question or concerns remain,

4. Discuss matters with the…… DIRECTOR OF STUDENT SERVICES
   …and then, if you wish,

5 Request to discuss with…… THE SUPERINTENDENT

RIGHTS AND RESPONSIBILITIES

Student Rights and Responsibilities

The Right to an Education**:** The High School will maintain an atmosphere in school, and at school activities, which enhances the potential for success of every member of the student body.
The Right to Receive Instruction**:** The right to the full use of class time for receiving instruction and for learning.
The Right to Be Heard: Students are encouraged to voice constructive criticism through available channels of communication (student government, school newspaper, conversations with teachers, counselors, and administrators) as long as this process does not disrupt the orderly operation of the school.
The Right to Fair Treatment**:** The right to fair, consistent, and respectful treatment by staff members and other students.
The Right to Due Process**:** The right to a hearing before a penalty is imposed. A student who is referred for a violation of the Student Conduct Code will be afforded the opportunity to offer his/her version of the incident to school authorities.
The Right to Seek Redress: The right to pursue remedies, through established district procedures, for alleged misapplication of the Student Conduct Code.
Students have the right to:

- Be taught the required curriculum in a professional manner.
- Have a positive learning environment maintained in the classroom.
- Be treated respectfully.
- Attend school without harassment by other students.
- Discuss grades, assignments, and discipline with the teacher in private, provided such a discussion is conducted with courtesy and consideration.
- Fair treatment and due process.

Students have the responsibility to:
Follow school Rules**:** Reasonable school rules and regulations are designed and enforced by the High School

so that a productive school environment that is conducive to effective teaching and learning can be preserved.
Courteous Treatment of Others: All students and staff members are entitled to expect courtesy and respect from others. This includes the right of all students to receive an education.
Attend School Daily**:** Unless ill or legally excused, students are required to attend each class every day. In addition, students may lose the privilege of participating in extra-curricular activities due to unexcused absences, truants, or tardies.
Be on Time and Come Prepared for Class**:** Students who enter a classroom after instruction has begun or students who delay class activities because they do not have necessary books and materials are interfering with the right of others to learn.

Complete All Assignments and Meet Deadlines**:** The full responsibility for learning cannot be transferred from the student to the teacher. A meaningful education requires that students punctually complete all school assignments.

Respect Public Property**:** Carefully use and return all materials and equipment.

Cooperate with School Staff Members**:** All communities depend upon the willingness of citizens to play a part in upholding the rules to which everyone adheres. It is unreasonable to expect help when your rights have been violated when you have refused to help others protect their rights.

As a part of the High School's discipline policy, all students will be informed of their teacher's individual classroom rules and expectations. These will be discussed thoroughly at the beginning of the school year. If students break these classroom rules, each teacher will have the option to handle the situation according to his/her professional judgment, which may include after-school detention. In serious cases and/or repeated offenses, the consequences can include a disciplinary referral to the office.

The Principal/Designee will talk with the pupil about the problem and, if the problem is serious enough, the pupil's parent will be contacted. Occasionally a pupil will be suspended from school if other means of discipline fail to improve conduct. Most of the students at the High Schools rarely have any serious problems, but if they feel that they might have trouble, it is much better to see the Principal/Designee BEFORE problems actually happen, rather than wait until they are in trouble.
Additionally:

- Students are responsible to all authorized school employees, and are expected to follow instructions quickly, quietly, and courteously, the first time.
- Students will follow all classroom and school rules.
- Students will treat others with courtesy and respect. This includes keeping hands, feet, and objects to oneself. No vulgarity.
- Dishonesty, teasing, or put-downs including but not limited to race, religion, ethnic origin, size, or handicap are not allowed.
- Students will attend school daily unless ill or legally excused.
- Students will come to class prepared to work and will remain until dismissed by the teacher.
- Each student will have a pencil and/or pen, paper and binder as required by the individual teacher.
- Students will remain seated until the bell rings and the teacher dismisses the class.
- Since tardies affect academic pursuits, a student will be considered tardy if he/she is not in his/her seat and prepared to work when the tardy bell rings.
- Students will complete all assignments and meet deadlines.

- No gum, food, candy, or drinks will be allowed in class without prior permission.

Parent Rights and Responsibilities

- Be treated respectfully.
- Expect his/her child to attend a school which emphasizes learning and growing in an environment free of detrimental influences.
- Be informed of disciplinary problems and actions.
- Due process for his/her child.
- Visit the school and observe programs when prior arrangements have been made.
- Be provided with a qualified translator.
- Be provided with translated parent notifications when 15% of the students in the school speak that language.

- Be aware that he/she is legally obligated to share responsibility with the school for the behavior of his/her child while he/she is in transit or at school.
- Understand and support local school behavior standards.
- Help the child understand, accept, and respect all school rules.
- Cooperate with school officials in carrying out appropriate disciplinary actions and seek out appropriate community agencies for assistance when necessary.
- Bring all issues, problems, or concerns happening at school regarding other students to the site administration and NOT confront or address issues, problems, or concerns with other students.
- Reinforce educational achievement of his/her child and communicate achievements at home to school staff for reinforcement at school.
- Ensure regular and prompt attendance and notify the school in the event of an absence or tardiness.
- Read all communications which come from school and respond when requested.
- Be financially responsible for their children losing school materials/equipment and/or causing damage to school property or personal property of any school employee.
- Send children to school clean, rested, well-nourished, appropriately dressed, and ready to learn.

Teacher Rights and Responsibilities

- Be treated respectfully
- Assign seats.
- Require detention for up to one hour after school.
- Give grades he/she considers appropriate.
- Require compliance with classroom and school rules.
- Expect students to follow directions.
- Expect work to be completed on time.
- Suspend a student from class for violations of Ed Code 48900 (a) – (r) for up to two class periods (day of infraction plus one additional day). (Ed Code 48900.1)

- Provide a safe, secure, positive learning environment.
- Review and enforce with students the district discipline policies and school rules.
- Communicate regularly with students, parents, and appropriate school personnel regarding behavior problems and proposed solutions, and/or academic progress, as well as outstanding student achievements.
- Inform parents of rules and policies related to behavior and discipline.
- Exhibit fair, consistent treatment of all students.

Administrator Rights and Responsibilities

- Be treated respectfully.
- Expect students, parents, and teachers to cooperate with the administration of state laws, district policies, and school rules which govern the operation of the school.
- Expect parents to communicate their concerns, questions, and suggestions first with the teacher and then the school administrator.
- Give consequences for violation of the education code, state, and federal laws.
- Investigate violations and question students without parental consent.
- Search and seizure with reasonable suspicion without parental consent.
- Inform law enforcement agencies and ask for assistance/collaboration regarding student violation of state and federal law.
- Request law enforcement agencies to investigate violations, and/or question students without parental consent.
- Release pupil directory information (per Education Code Section 49076.)

- Create a safe, secure, positive teaching-learning environment by properly exercising authority assigned by the School Board, the Superintendent, and state laws.
- Communicate to parents, staff, and students the state laws, district policies, and school rules which govern behavior expectations.
- Assist students, parents, and staff in seeking solutions to problems.
- Establish procedures for encouraging and recognizing positive behavior.
- Be fair, firm, and consistent in enforcing district policies and school rules, and in decisions affecting students, parents, and teachers.
- Maintain open lines of communication between school and home.

School Board Rights and Responsibilities

- Be respected as the policy formulating body of the school district.
- Expect students, parents, teachers, and administrators to comply with state laws, and district policies as established by the Governing Board.
- Expect parents to communicate their concerns, questions, and suggestions first with the teacher, then the administration, then the Director of Student Services, and finally with the Governing Board.

- Establish policies and procedures which create a safe, secure, positive teaching-learning environment at each of the district's schools.
- Assist students, parents, and staff in seeking solutions to problems by directing them to the appropriate administrative office.
- Ensure that administrators are fair, firm, and consistent in enforcing district policies and school rules, and in decisions affecting students, parents, and teachers.
- Establish policies and procedures for encouraging and recognizing positive student behavior.
- Establish policies and procedures which maintain open lines of communication between school and home.

Alcohol and Drugs

(BP/AR 5131.6)

Students are prohibited from using any drugs or consuming any alcohol or being under the influence of any drugs or alcohol or intoxicant of any kind while on school property, during school-sponsored activities and under school jurisdiction. Possession of drugs and/or alcohol or intoxicant of any kind, either actual or constructive, by students on school property, during school-sponsored activities, or under school jurisdiction is also expressly prohibited. Possession of drugs, alcohol or intoxicant of any kind includes, but is not limited to, actual physical possession or control of such substances, possession of such substances in a student's car, locker, desk, backpack or other container or being in close proximity to such substances with the intent to use or possess such substances.

Tobacco/e-Cigarette Use

(BP/AR 5131.62)

The presence of smoke and/or other intoxicants are not allowed on school grounds. Smoking, e-cigarettes, vaping, or other tobacco products are prohibited in all District buildings, outside on District property, and during activities such as concerts and sporting events on District property. Student possession or use of tobacco, e-cigarettes, vape pens, or tobacco products on school premises or at school- sponsored events is a violation of law and Board Policy and is not permitted. Students violating this policy shall be subject to disciplinary procedures.

Bicycles

Students may ride their bicycles to school. Care and cooperation from everyone will ensure the safety of all students and protect your bicycle too! Please adhere to these rules and procedures.

Students who ride bicycles to school must park them in the bike rack on campus. No one is allowed in the bicycle area except when parking their bicycle in the morning or when picking it up to go home in the afternoon. The following bicycles rules and suggestions are to be followed:

1. Bicycles must be walked to the racks from the street. Bicycle riding on campus is strictly prohibited.
2. Bicycles are to be placed in the bike rack.
3. Bicycles should be locked for your own protection. The school cannot be responsible for your bike.
4. Regular bicycle traffic laws are to be observed.
5. Accessories that can be easily removed should not be put on bikes.
6. Courtesy to pedestrians is expected from all students.

Bullying

(BP/AR 5131.2)

All students have a right to a safe and healthy school environment. The Tracy Unified School District recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. Bullying of any student is not tolerated and no student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate cyber-bully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Complaints of bullying will be investigated and any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with

district policies and regulations. Bullying that may also constitute sexual and/or gender-based harassment will be investigated and addressed under the complaint procedures set forth in BP/AR 5145.7 Sexual and Gender-Based Harassment.

~~Cell~~**Smart** Phones/Electronic Devices

Students may possess or use on school campus personal electronic signaling devices including, but not limited to, pagers, beepers, and cellular/ digital telephones, as well as other mobile communication devices including, but not limited to, digital media players, portable game consoles, cameras, digital scanners, and laptop computers, provided that such devices are not used for illegal or unethical activities such as cheating on assignments or tests. (Education Code 48901.5)

~~Cell~~ **Smart** phones and electronic devices as described above are allowed on the school campus and at school sponsored events under the following conditions:

1. Cell phones and electronic devices may be used before school, after school, at lunch, at break, and walking between classes.
2. During class periods or assemblies, cell phones and electronic devices, etc. must be turned off and out of visual sight in classrooms, assemblies, and in any other learning environment. Cell phones may not be used for any reason (including talking, listening, ringing, text messaging, checking the time, taking pictures, etc.) and must be powered off except with a classroom teacher's expressed permission. (BP/AR 6163.4)
3. Students displaying or using cell phones or electronic devices, etc. in the classroom or inappropriately will be subject to disciplinary measures and be considered in defiance.
4. Theft of any electronic items will <u>not</u> be investigated by school personnel. The District is not responsible for personal items, including cellular devices.
5. The use of any electronic listening or recording device in any classroom without the prior consent of the teacher and the Principal of the school disrupts and impairs the teaching process and such use is prohibited by law. (BP 5131; Education Codes 48901.5)

Confiscated Items

Confiscated items must be picked up on or before the last day of school. Confiscated items not picked up will be discarded. Confiscated items by admin must be picked up….except for weapons, controlled substances and paraphernalia

Delivery of Items to School

Personal items related to school business (such as lunch (from home) or student work) may be accepted at the main office and students will be notified during passing periods. Students will not be called out of class to receive these items. To ensure the safety of students and staff and minimize interruption of our instructional programs, food deliveries from a delivery service will be denied by the office and security personnel. (i.e., DoorDash, Uber Eats, GrubHub, PostMates, etc.) **Parents cannot drop-off food or other items through the campus gates. A non-supervised courtesy table will be near the main office of the school for all food items and may be subject to visits by local wildlife. This table will not be monitored; items left are entirely at risk of theft and may be left on the ground. All food items will be disposed of at the end of the school day.**

We understand the importance of recognizing a special day or event for our students but receiving gifts at the school to be sent to students disrupts the academic process. Should flowers, balloons, etc., be received at

school for delivery to a student, they will not be accepted for delivery.

Disrupting a Learning Activity

Students have the right to concentrate on learning activities without being interrupted. Please do not bring to school any disruptive or prohibited items. Administrators and teachers will confiscate these items and ask parents to pick them up. No pets or other animals are allowed on campus. This includes, but is not limited to, reptiles, birds, insects, and fish.

Dress Standards Philosophy

~~Tracy Unified School District's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.~~

~~Our values are:~~

- ~~All students should be able to dress comfortably for school and engage in the educational environment without fear of or actual unnecessary discipline or body shaming.~~
- ~~All students and staff should understand that they are responsible for managing their own personal "distractions" without regulating individual students' clothing/self-expression.~~
- ~~Student dress code enforcement should not result in unnecessary barriers to school attendance.~~
- ~~School staff should use student/body positive language to explain the code and to address code violations.~~
- ~~Teachers should focus on teaching without the additional and often uncomfortable burden of dress code enforcement.~~
- ~~Reasons for conflict and inconsistent and/or inequitable discipline should be minimized whenever possible. Our student dress code is designed to accomplish several goals:~~
- ~~Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection), dance (bare feet, tights/leotards), or PE (athletic attire/shoes).~~
- ~~Allow students to wear clothing of their choice that is comfortable.~~
- ~~Allow students to wear clothing that expresses their self-identified gender.~~
- ~~Allow students to wear religious attire without fear of discipline or discrimination.~~
- ~~Prevent students from wearing clothing or accessories with offensive images or language, including profanity, hate speech, and pornography.~~
- ~~Prevent students from wearing clothing or accessories that denote, suggest, display, or reference alcohol, drugs or related paraphernalia or other illegal conduct or activities.~~
- ~~Prevent students from wearing clothing or accessories that will interfere with the operation of the school, disrupt the educational process, invade the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights.~~
- ~~Prevent students from wearing clothing or accessories that reasonably can be construed as being or including content that is racist, lewd, vulgar or obscene, or that reasonably can be construed as containing fighting words, speech that incites others to imminent lawless action, defamatory speech, or threats to others.~~
- ~~Ensure that all students are treated equitably regardless of race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.~~

~~Dress Standards~~
(BP/AR 5132)

Tracy Unified School District expects that all students will dress in a way that is appropriate for the school day or for any school sponsored event. Student dress choices should respect the **High School and** District's intent to sustain a community that is inclusive of a diverse range of identities. ~~The primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s). The school district is responsible for seeing that student attire does not interfere with the health or safety of any student, that student attire does not contribute to a hostile or intimidating atmosphere for any student, and that dress code enforcement does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size~~. Any restrictions to the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this dress code.

1. **Basic Principle**: ~~Certain~~ **Specific arears of the** bod must always be covered for all students. Clothes must be worn in a way such that genitals, buttocks, chest, ~~and~~ torso, **and abdomen** are covered with opaque fabric. **Students are expected to wear clothing that remains appropriate at all times, including while walking, sitting, or moving without the need for constant adjustments**. All items listed in the "must wear" and "may wear" categories below must meet this basic principle.
2. **Students Must Wear***, while following the basic principle of Section 1 above:
    - A Shirt (with fabric in the front, back, and on the sides under the arms), AND
    - Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress, or shorts), AND
    - Shoes.

*Courses that include attire as part of the curriculum (for example, JROTC or FFA) may include assignment-specific dress but should not focus on covering bodies in a particular way or promoting culturally specific attire. Activity-specific shoes requirements are permitted (for example, athletic shoes for PE).

3. **Students May Wear**, if these items do not violate Section 1 above:
    - Hats. They must allow the face to be visible to staff, and not interfere with the line of sight of any student or staff
    - Religious headwear
    - Hoodie sweatshirts (wearing the hood overhead is allowed, but the face and ears must be visible to school staff).
    - Fitted pants, including opaque leggings, yoga pants and "skinny jeans"
    - Pajamas
    - Ripped jeans, if underwear and buttocks are not exposed.
    - Tank tops, **(with two straps; one on each side of neck)**
    - Athletic attire
    - Visible waistbands on undergarments or visible straps on undergarments worn under other clothing (if this is done in a way that does not violate Section 1 above).
    - Tattoos. However, they must not violate any of the violations outlined in Section 4, otherwise be always covered .
4. **Students Cannot Wear**:
    - Violent language or images.
    - Crude or vulgar lettering or images of weapons, occult messages, drugs, tobacco, alcoholic beverages, racial/ethnic slurs, unauthorized group affiliation, sexually suggestive graphics, on shirts, sweatshirts and other apparel are not acceptable.
    - Bullet proof vest, body armor, tactical gear, or facsimile.
    - Hate speech, profanity, pornography.

- Sunglasses, hoodies, and hats are not to be worn in the classroom, unless permitted by the teacher and/or staff member.
- Images or language that creates a hostile or intimidating environment based on any protected class or consistently marginalized groups.
- Any clothing, apparel, or attire that fails to provide adequate coverage of the body. **(e.g. strapless shirts; sagging pants)**
-
- Any clothing that reveals visible undergarments (visible waistbands and visible straps are allowed)
- Swimsuits (except as required in class or athletic practice).
- Accessories that could be considered dangerous or could be used as a weapon.
- Any item that obscures the face or ears (except as a religious observance and/or health guideline such as face masks).

Dress Code Enforcement

To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not have discretion to vary the requirements in ways that lead to discriminatory enforcement.

- Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined in Sections 1 and 4 above. Students in violation of Section 1 and/or 4 will be provided three (3) options to be dressed more to code during the school day:
  - Students will be asked to put on their own alternative clothing, if already available at school, to be dressed more to code for the remainder of the day.
  - Students will be provided with temporary school clothing to be dressed more to code for the remainder of the day.
  - If necessary, students' parents may be called during the school day to bring alternative clothing for the student to wear for the remainder of the day.
- No student should be affected by dress code enforcement because of racial identity, sex assigned at birth, gender identity or expression, sexual orientation, ethnicity, cultural or religious identity, household income, body size/type, or body maturity.
- School staff shall not enforce the school's dress code more strictly against transgender and gender nonconforming students than other students.
- Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school. "Shaming" includes, but is not limited to:
  - kneeling or bending over to check attire fit;
  - measuring straps or skirt length;
  - asking students to account for their attire in the classroom or in hallways in front of others;
- Calling out students in spaces, in hallways, or in classrooms about perceived dress code violations in front of others; in particular, directing students to correct sagged pants that do not expose the entire undergarment, or confronting students about visible bra straps, since visible waistbands and straps on undergarments are permitted; ~~and,~~
- ~~accusing students of "distracting" other students with their clothing.~~

These dress code guidelines shall apply to regular school days and summer school days, as well as any school-related events and activities, such as graduation ceremonies, dances, and prom.

Driving

All drivers of motorized vehicles are to observe existing vehicle code provisions, school regulations and common sense while operating their vehicles. Students who endanger the lives of others in the parking lots by speeding or reckless driving are subject to citation by local police and disciplinary action. The speed limit is 5 mph. Students must park in the student parking lot. **Student drivers without driver's permits or licenses will be reported to the Tracy Police Department.**

Eighteen-Year-Old Students

Students eighteen years of age or older, who are having attendance and/or behavior problems, will be placed on an eighteen-year-old contract. Eighteen-year-old students who transfer to the Adult School may not be allowed to transfer back to high school.

Fees and Fines

(BP/AR 3260)

No student shall be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities unless specifically authorized by law and the Board of Trustees. (Education Code 49010, 49011; 5 CCR 350) In addition to other authorized fees, the Board has authorized fees and/or charges for lost or damaged books and/or library material and school meals.

Any student who owes fees and does not clear their fees prior to the beginning of the year may not be permitted to participate in, or attend any extra or co-curricular activities, purchase a yearbook, and receive an off-campus lunch pass until such fees are paid. Furthermore, students may not be allowed to participate in sports, pep squad, drill team, dance/prom activities, etc., until all fines are cleared or they have made arrangements with the school site administration. Students must also have a current ASB card.

To clear a fee or fine, the books or materials must be returned to school or the fee must be paid to the bookkeeper/librarian. This may be done prior to the school year at registration, or at any time after school begins. Students who owe fees will need to have proof of clearance.

It is critical that all of the books or materials is returned promptly and/or that fees are paid to allow purchase of the necessary replacement items to meet students' academic needs.

Seniors need to have all fees cleared before participating in designated Senior Activities. (See Senior Activities in the Activity Section of this book). Juniors and seniors wishing to apply for an off-campus lunch pass must have cleared all fines or have made arrangements with their school site administration.

Gender Equity

(BP/AR 5145.7)

All students attending Tracy Unified School District have equitable access to facilities, opportunities to participate in and benefit from high quality curricular and extra-curricular activities regardless of nationality, immigration status, ethnicity, gender, gender identity, gender expression, sex, sexual orientation, religion, or any other characteristic contained in the definition of hate crimes in Penal Code.

Gum, Food, and Drink

To maintain high academic standards and clean classrooms, gum, food, and drink are NOT to be brought into the academic setting.

~~Hats and Sunglasses~~

~~Students are welcome to wear hats and sunglasses on campus, but to maintain a classroom environment that~~

~~is free of distractions and reflects an academic atmosphere, sunglasses, hats, and other head coverings are only to be worn outdoors, unless permitted by the teacher and/or staff member.~~

Liability for Use of School Property, Books and Equipment

The school is not responsible for personal property brought to school. Parents are responsible for the replacement of any school property loaned to a student which is not returned upon demand by a school employee. The school is not responsible for lost or stolen articles.

Litter

Keep our campus clean. Please do not litter on school grounds or any areas in the community adjacent to the campus. Discipline steps may be applied if staff determines that a student has littered.

Lockers

Book lockers are not provided in high school. Gym lockers will be assigned to students by their PE teachers. Materials missing from the locker are a student's responsibility. **TUSD is not responsible for personal items.**

The school retains the final control over all lockers and reserves the right to search as necessary in maintaining a safe school environment as per Education Code 44807.

Lost or Damaged School Property and Fines

The district expects that students will keep district property that has been loaned to them such as textbooks, library books, or laptop computers in good condition and to return the property at the end of the school year without damage. Normal wear and tear are expected. Please note that students owing fines may not be allowed to participate in school sponsored after-school activities and extra-curricular events until the matter is resolved.

When a minor student willfully cuts, defaces, or otherwise injures real or personal property of the district or willfully does not return district property that has been loaned to the student, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. The Superintendent or designee may withhold the student's grades, diploma, and/or transcripts until the student's parents/guardians have paid for the damages or the student has completed voluntary work or other nonmonetary alternative offered by the district in lieu of monetary damages. (Education Code 48904, 49014)
Before withholding a student's grades, diploma, and/or transcripts, the Superintendent or designee shall inform the student's parents/guardians in writing of the student's alleged misconduct and the student shall be afforded due process consistent with procedures established for the expulsion of students (Education Code 48904; 48900(f)).

When the minor and parent are unable to pay for the damages, or to return the property, the school shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released. Please note that students owing fines may not be allowed to participate in school sponsored after-school activities and extra-curricular events until the matter is resolved.

Unless a student is exempt or has completed voluntary work in restitution for lost or damaged property, the student and his/her parents must compensate the district for damaged and/or lost laptops, library books, or textbooks as follows:

Description of Property Damage or Loss	Fee
Any Book Damaged Beyond Use	Replacement cost
District Laptop/Accessories	Replacement cost (refer to specific costs in forms section)
Bar Code Missing or damaged/marked	$5.00
Missing Pages in books (maximum of five pages)	$5.00 per page
Missing/Torn page in books	Starts at $2.00 per page
Missing/Torn Pages in books (more than five pages)	Replacement cost of book
Water Damage to property	Begins at $10.00
Cover Damage	Begins at $5.00
Marks/Scribbles to property	$3.00 per page
Minimal Spine and/or Cover Damage to books	$5.00
Abandoned During Textbook Check-in	$10.00
Severe Spine and/or Cover Damage to books	Replacement cost of property
Stolen/Lost property	Replacement cost of property

After receiving a textbook, the student must carefully inspect its condition. The student has five (5) school days after receiving a textbook to report damage to the library. After this grace period, the student and parent/guardian are liable for all damages.

It is required that all library books and/or textbooks be returned either at the end of the school year or at the time a student checks out of school during a school year. If a textbook **is lost or** stolen, the student will be charged the replacement cost of the book. If the book is found within one year from the date the book was marked lost, a student may get a refund if found in good condition minus any late fees. **All books not returned by the last day of school, or at the time a student checks out of school, will have an overdue charge of $5.00 per book.** Students who change courses are responsible for returning the textbook/novel at the time of transfer. Students enrolled in semester-long courses must return their textbooks at the end of the semester and class novels must be returned on the scheduled return date for that class: failure to do either will result in a $5.00 late fee. Failure to do so will result in a $5.00 late fee. Students expelled or suspended from school may return their textbooks or library books to the District Instructional Media Center located at 1975 W. Lowell Ave., Tracy, CA. Failure to do so may result in the book being marked lost or having a late fee assigned.
The district cannot accept textbooks or library books purchased from outside sources, e.g., Amazon, Barnes and Noble.

A student's high school diploma and transcripts will be held from students and parents/guardians until the lost or damaged property is either returned or the fee is paid. Upon return of the property in good condition or payment of the fee, the student's diploma will be released. If property is misplaced and then found later, the student may return it for release of the diploma only within one year's time (June of the following year). After a year, the student may receive his/her diploma only by paying the replacement cost of the property plus all fees. (Education Code 48904(b))

Nondiscrimination/Harassment

(BP 5145.3)

Members of the school community are expected to treat each other with dignity and mutual respect and to accept the rich diversity that makes up the community. Disrespect among members of the school community

is unacceptable behavior which is disruptive to the learning environment and potentially damaging to self-esteem.

Discrimination is prohibited at any district school or school activity. Unlawful discrimination, including discriminatory harassment, includes intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics. Complaints of discrimination and/or observed unlawful discrimination, including bullying, will be investigated as described in the Uniform Complaint Procedures (BP/AR 1312.3; Bullying Investigation Procedures AR 5131.2; and/or Sexual Harassment BP/AR 5145.7)

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board Policy, or Administrative Regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion.

Parking

Parking permits are required to park in school parking lots. Parking permits can be picked up at the bookkeeper's office. Parking permits must be prominently displayed on either the dash or the rear- view mirror. Students may not park in the spaces for "staff only" or any other unauthorized spaces**.** Cars parked on campus without a parking permit or illegally parked are subject to a parking ticket and towing charges. Drivers who continue to abuse parking regulations will lose their school vehicle use privileges and are subject to school disciplinary action. (Education Code 48900, Subsection k). Loitering is prohibited in all parking lots before, break, lunch, and after school.

Restrooms

Restrooms are open for student use throughout the school day. During class time, students must obtain a hall pass from the teacher to use the restroom. Students using the restroom are to cooperate with staff members checking or supervising the area. Restrooms are not to be used for "social gathering." Food and loitering are not allowed in the restroom.

School Safety and Security Cameras on Campus

(BP/AR 3516)

Cameras are installed at the school sites for safety and security, and information will be shared with the Tracy Police Department for any violations of the law. Camera footage where multiple students appear will not be shared with parents or guardians, as it is a violation of confidentiality.

Skateboards

Students who ride skateboards to school must lock them up in the skateboarding rack on campus. *Skateboards cannot be carried around on campus.* No one is allowed in the bicycle/skateboard storage area, except when parking bicycles or locking up skateboards in the morning or when picking it up to go home in the afternoon. The following rules and suggestions are to be followed:

1. Skateboards must be carried to the racks once on campus. Skateboarding on campus is strictly prohibited.
2. Skateboards are to be placed in the provided rack.

3. Skateboards should be locked for your own protection. The school is not responsible for your skateboard.
4. Courtesy to pedestrians is expected from all students.

Student Identification Cards

Students must always be able to identify themselves with a Student Body Identification Card. Students are required to show their I.D. Card to staff members if requested. Students who lose their I.D. Card may obtain a replacement from the Bookkeeper's Office for a replacement charge of $5.00. Students need their I.D. Card for entry into all school activities, use of technology, late arrivals, absences, picking up of personal belongings etc. In the event of a school emergency, school **I.D.** Cards help with the safety of staff and students on our campus. **5-Star will work as a Student I.D. Card, as well.**

Student Services

Parents and students wishing to learn about additional interventions specializing in anger management, alcohol, and substance use should contact their high school counselor, administrator, or the Prevention Services Department.
Parents and students wishing to discuss school discipline rules and practices should contact their high school administration or the Student Services Department.

Student Safety Search/Seizure

(BP 5145.12)
As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or District property under their control and may seize illegal, unsafe, and prohibited items. School officials may search individual students and their property when there is reasonable suspicion that the search will uncover evidence that the student is violating the law or rules of the district or school. The Governing Board requires that discretion, good judgment, and common sense be exercised in all cases of search and seizure. (Education Code 49050)

To ensure student safety, non-aggressive canines, breathalyzers, vape sensors, and metal detectors may be used. Non-aggressive canines may be used to keep campuses free of dangerous devices (including, but not limited to firearms and explosives) and illegal substances. Non-aggressive canines will not sniff students or staff. Breathalyzers will be used, including but not limited to, on campus and at school sponsored activities. Students will be subject to being searched or asked to use the breathalyzers when reasonable suspicion exists. In the event of school events that call for a higher need to ensure safety, such as but not limited to, senior overnight trips and Magic Mountain trip, all students participating in the event may be asked to use the breathalyzer or go through a metal detector search. These added safety precautions will heighten student safety and keep schools and school events safer for all students.

Student Technology Guidelines

(BP/AR 6163.4)
The Tracy Unified School District intends that the technological resources it provides be used in a safe, responsible, and proper manner in support of its instructional programs and for the advancement of student learning. Before a student is authorized to use the district's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities.

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

Unauthorized Group Attire and Paraphernalia

(BP/AR 5136)

Jewelry, accessory, notebook, or manner of grooming (including haircuts) which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in an unauthorized group or group is prohibited.

- Clothing or articles of clothing (including but not limited to gloves, bandannas, shoestrings, wristbands, belts, jewelry) related to unauthorized groups that may provoke others to acts of violence are prohibited.
- No belt buckles with initials, or red, blue, or brown web belts or belts hanging out of pants.
- No red, blue or other colored shoelaces.
- No bandanas of any type of color, either worn in hair or displayed in clothing.
- No Gloves, towels, suspenders or other items hanging from rear pants pockets or from belt.
- Excessive clothing items **(**more than 2**)** of predominately one color are prohibited.
- Old English style writing on clothing or notebooks is prohibited.
- **Any gang related drawings, tags, or monikers in possession of/or on student**

Because unauthorized group-related symbols are constantly changing, definitions of unauthorized group-related apparel may be reviewed and updated whenever related information is received by administrators and/or school safety committee. If a student is determined to have violated the dress code by wearing unauthorized group colors, he/she will be banned from wearing specific colors or any unauthorized group related apparel.

Unauthorized Group-Related Conduct/Activity

(BP/AR 5136)

Unauthorized Group-related Conduct/Activity on all school campuses and/or adjacent to the campus during all school sponsored events is a threat to the safety of others and is STRICTLY PROHIBITED.

Vapes – Tobacco/THC/Essential Oils/Flavored Liquids

Any electronic vape device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hooka is strictly prohibited. For possession, use, or distribution of such products, the school may suspend or expel.

Visitors to the School

Not Having Official School Business

Persons who are not students at or are not school employees and who do not have official business at school are not to be present and prohibited from being on campus during school hours, including lunch time. Students are not allowed to have guests at school. Students from other schools are not allowed on campus, unless they are on official school business.

Having Official School Business

(BP 1250)
All visitors, including parents/guardians for school or other appropriate business, are required to check **in through the Raptor System located on school grounds** ~~at the Assistant Principal's office~~ to obtain a visitor's pass. All visitors are prohibited from entering classrooms or any area on campus without prior arrangements with the teacher or administration.

Work Experience

In addition to the above rules, work experience students will be limited to the Tracy Unified School District's high school enrollment area or Livermore Outlets. Prior approval by the site principal or designee (work experience coordinator) is required for work outside of the TUSD high school attendance boundaries or Livermore Outlets.

INTERVENTIONS TO DISCIPLINE

Restorative Discipline Practice

Tracy Unified School District believes in restorative and alternative discipline practice as a system of formal and informal processes that build and sustain a culture of kindness, respect, and responsibility. This is achieved through emphasizing the importance of trusting relationships as central to building community and repairing relationships. The premise of restorative and alternative practice is that people are happier, more cooperative, more productive in learning, and more likely to make positive changes in life. Restorative or alternative discipline methods cultivate a culture in which everyone feels like they belong. They build a sense of community in which every member of a school (students, teachers, support staff, parent volunteers, etc.), feel respected. Restorative or alternative practices promote inclusiveness, relationship-building and problem-solving, through alternative measures such as: Student Success Teams (SST), one-on-one or group counseling, alternative placement, Discipline and Attendance Review Team (DART), conflict-resolution, campus beautification, detention, in-house intervention, and community service. In all these alternative methods, students are encouraged to reflect on and take responsibility for their actions, coming up with solutions that lead to positive outcomes.

Conflict Resolution

The Tracy Unified School District believes that all students have a right to a safe and healthy school environment. Part of a healthy environment is the freedom to openly disagree. With this freedom comes the responsibility to discuss and resolve disagreements with respect for the rights and opinions of others.

To prevent conflict, each school within the School District will incorporate conflict resolution education and problem-solving techniques into the curriculum and campus programs. This is an important step in promoting respect and acceptance, developing new ways of communicating, understanding, and accepting differing values and cultures within the school community and helps ensure a safe and healthy learning environment.

The School District will provide training to develop the knowledge, attitudes, and skills that students will need to choose alternatives to self-destructive, violent behavior and dissolve interpersonal and intergroup conflict. The District has adopted a Student Code of Conduct to be followed by every student while on school

grounds, when traveling to and from school or a school-sponsored activity, and during lunch period whether on or off campus.

The Student Code of Conduct includes, but is not limited to, the following:

- Students are to resolve their disputes without resorting to violence.
- Students, especially those trained in conflict resolution and peer mediation, are encouraged to help fellow students resolve problems peaceably.
- Students can rely on staff trained in conflict resolution and peer mediation strategies to intervene in any dispute likely to result in violence.
- Students needing help in resolving a disagreement, or students observing conflict may contact an adult or peer mediator.
- Students involved in a dispute will be referred to a conflict resolution or peer mediation session with trained adult or peer mediators. Staff and mediators will keep the discussions confidential.
- Conflict resolution procedures shall not supplant the authority of staff to act to prevent violence, ensure campus safety, maintain order, and discipline students.

Alternatives to Discipline

Students and parents can request social-emotional counseling from their school site at any time during the school year. Tracy Unified School District has invested in our youth by providing mental health counseling at all school sites. Social-emotional counseling can help with a broad range of life and social skills to help a student with life, social, or academic struggles.

Alternatives to suspension may include:

- A conference between school personnel, the pupil's parent or guardian, and the pupil.
- Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
- Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.
- Referral for a comprehensive psychosocial or psychoeducational assessment when appropriate
- Enrollment in a program for teaching prosocial behavior or anger management.
- Participation in a restorative **practice** ~~justice~~ program.
- A positive behavior support approach with tiered interventions that occur during the school day on campus.
- Attending an after-school program that addresses specific behavioral issues or exposes students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups. (Education Code 48900.5)
- Community service. (Education Code 49800.6)

Community Service

As part of or instead of disciplinary action, the principal or designee of a school may require a pupil to perform community service on school grounds or, with written permission of the parent/guardian of the

pupil, off school grounds, during the pupil's non-school hours. "Community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. This section does not apply if a pupil has been suspended, pending expulsion, pursuant to Section 48915. However, this section applies if the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action. (Education Code 48900.6)

Alternate Placement

The Alternate Placement program provides the staff at the Middle Schools with an alternative to student suspension from school, thus allowing designated students to spend more days at school. Alternate Placement may include detention, Administrative Detention, or assignment to another classroom or office. Students assigned to Alternate Placement must bring an appropriate amount of assigned class work from their regular classes. Violation of Alternate Placement rules and regulations will result in an immediate referral to the office for appropriate disciplinary action.

Student Success Team (SST)

A Student Success Team (SST) meeting may be held in conjunction with other conduct or behavior related meeting to discuss the appropriate alternatives or interventions for a student that are aimed at improving student's academic and behavioral functioning.

Discipline and Attendance Review Team (DART)

At 10 days of suspension, a school site DART is utilized to develop a plan regarding student's discipline and behavior.

DISCIPLINE

All school rules are enforceable on the way to school, leaving school, during school, at lunch time, during the period that school is in session when the student is truant from school, at school activities, to and from school activities on or off campus. The area of school supervision includes the campus, the perimeter of the campus and sidewalks on both sides of the streets adjacent to the school. All school rules are also in effect at ALL SCHOOL events and activities.

Administrative Detention

Administrative Detention is determined by the Principal or his/her designee. It is defined as, but not limited to:

- Alternate Placement
- Intervention through the Prevention Services Department
- Community Service
- Campus Beautification
- Saturday School
- Before or After School Detention
- Incident Reflection
- In-House Suspension

Classroom Discipline

If a student is disruptive or violates school rules, the teacher may take the following action:

- Parent phone call or email.
- Warning, detention, or referral (teacher will contact the parents the same day on referrals).
- Automatic referral to the office for severe disruptions.
- Suspension from class for the day of the incident and the day following (Education Code 48910.)

Detention is to be served **within 5 school days**. For extension of time, students must bring a note from a parent. If a student does not serve the detention, the teacher will contact the parent and double the detention time. ~~A student who continues to not serve detention ("no show") will receive a disciplinary referral.~~

SUSPENSION AND EXPULSION

Restorative or Alternative discipline practice does not mean that students will not be held accountable for acts which create unsafe learning environments. The Tracy Unified School District does support school-wide safety and safe school communities. The Tracy Unified School District does not tolerate discrimination, harassment, bullying, physical injury, drugs, or any kind of dangerous objects or weapons in our schools. Therefore, students will be subject to suspension and expulsion if safety of themselves or others is compromised.

Definition and Length of Suspension

Suspension means removal of a student from on-going instruction for purposes of adjustment.

- **Suspension**- One to five days home. Teachers must provide work to any student who has been suspended for two or more school days upon the request from the student, parent, legal guardian, or other person holding the educational rights of the student.
- ~~**In-House Suspension**~~ **Intervention**- Held one day a week at school. Students are in IHS for the entire day. Students are given work by their teachers and given credit for the work they complete.
- **Teacher Suspension**- Removal from the suspending teacher's classroom for the day of the suspension and the following day. Students are given work by the teacher and given credit for completed work.

Definition and Length of Expulsion

Expulsion means the removal of a student from the immediate supervision and control, or the general supervision of school personnel. The expulsion shall remain in effect until the governing board orders the re-admission of the student. At the time of the expulsion, the governing board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, unless expulsion is based on the most serious violations, including possessing or selling a firearm, brandishing a knife at another person, selling drugs, or committing or attempting to commit a sexual assault or battery, which may include a full year expulsion, before the student may apply for re-admission to school.
(Education Code 48915 (c))

Due Process

Students facing major disciplinary action (such as suspension, expulsion, or transfer to another school) have a right to due process. The process requires that procedures be established to guarantee that penalties which deny access to educational opportunity are administered for a good and just cause. Due process procedures

entitle students to: 1) oral or written notification of the charges; 2) explanation of the evidence; 3) opportunity to present his/her side of the story; and 4) a right to appeal decisions resulting in major disciplinary action to the next higher authority.

Recommendations for expulsion provide further due process including a fair hearing before a Discipline Review Board, the right to be represented and to call witnesses. Students and their parent/guardian will have these rights explained to them at a pre-expulsion meeting.

Except for the more serious violations described below, the District will seek to correct the student's conduct through alternative means prior to recommending suspension or expulsion.
It is hoped that students will never place themselves in a situation requiring the protection of due process. However, if a student does become involved in a situation in which a suspension, expulsion or transfer might result, both the student and his/her parents will be given a more detailed description of the due process procedures.

Grounds for Suspension and Expulsion

California Education Code 48900

The following chart identifies the alternatives to suspensions and/or consequences for violations of *California Education Code* 48900. The chart has been developed in accordance with Tracy Unified School District Board Policy 5144 (Discipline).

ALTERNATIVES TO SUSPENSIONS AND/OR CONSEQUENCES FOR VIOLATIONS
CALIFORNIA EDUCATION CODE 48900

1. Acts of Violence [*EC* 48900(a)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
(1) Caused, attempted to cause, or threatened to cause physical injury to another person.	**X**	**X**	**X**
(2) Willfully used force or violence upon another person.		**X**	**X**
2. Weapons and Dangerous Objects [*EC* 48900(b)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
(1) Possession, sale, or furnishing of weapons (knife, gun, sharp object, club, or an object that could inflict injury) or explosive.		**X**	**X**
(2) Explosives, use or possession.		**X**	**X**
3. Drugs and Alcohol [*EC* 48900(c)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
(1) Possession, use, sale, or furnishing, or otherwise being under the influence of alcohol, controlled substances, or an intoxicant.		**X**	**X**
4. Sale of "Look-Alike" Controlled Substance or Alcohol [*EC* 48900(d)]	**Alternative to Suspension**	**Suspension**	**Expulsion**

Offering, arranging, or negotiating to sell drugs, alcohol or any intoxicant and then substituting a look-alike substance intended to represent drugs, alcohol, or an intoxicant.		**X**	**X**
5. Robbery or Extortion [*EC* 48900(e)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Committed or attempted to commit robbery or extortion.		**X**	**X**
6. Damage to Property [*EC* 48900(f)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Caused, or attempted to cause damage to school or private property.	**X**	**X**	**X**
7. Theft or Stealing [*EC* 48900(g)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Stealing, or attempting to steal school or private property.	**X**	**X**	**X**

8. Tobacco [*EC* 48900(h)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Possessed or used tobacco or nicotine products.	**X**	**X**	
9. Profanity, Obscene Acts, Vulgarity [*EC* 48900(i)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
(1) Directed at peers.	**X**	**X**	**X**
(2) Directed at school personnel.	**X**	**X**	**X**
10. Drug Paraphernalia [*EC* 48900(j)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Possessed, offered, arranged, or negotiated to sell any drug paraphernalia.	**X**	**X**	**X**
11. Willful Defiance or Disruption of School Activities	**Alternative to Suspension**	**~~Suspension~~**	**~~Expulsion~~**
Note: With the exception of classroom suspensions imposed by a teacher under *Education Code* 48910, no student enrolled in kindergarten through grade eight may be suspended for violation of *Education Code* 48900(k)(1). Additionally, no student enrolled in kindergarten through grade twelve, regardless of age, may be recommended for expulsion for violation of *Education Code* 48900(k)(1) [*EC* 48900(k)(2)]			
(1) Disrupting school activities.	**X**	**~~X~~**	
(2) Refusing to follow the valid authority of school personnel, including supervisors, teachers, school officials or other school staff performing their duties.	**X**	**~~X~~**	
(3) Failure to follow school rules.	**X**	**~~X~~**	
(4) Failure to follow directive or instruction of staff or teachers.	**X**	**~~X~~**	
(5) Failure to follow conduct code for school bus passengers.	**X**	**~~X~~**	
12. Possession of Stolen Property [*EC* 48900(l)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Knowingly received stolen school property or private property.	**X**	**X**	**X**
13. Imitation Firearm [*EC* 48900(m)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Possession of an imitation firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.		**X**	**X**
14. Sexual Assault or Sexual Battery [*EC* 48900(n)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Committed or attempted to commit a sexual assault or battery.		**X**	**X**
15. Harassment of a Student Wit- ness [*EC* 48900(o)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Harassed, threatened, or intimidated a pupil who is a witness in a school disciplinary proceeding for the purpose of intimidation or retaliation.	**X**	**X**	**X**
16. Prescription Drug Soma [*EC* 48900(p)]	**Alternative to Suspension**	**Suspension**	**Expulsion**

Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.	**X**	**X**	**X**
17. Hazing [*EC* 48900(q)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Engaged or attempted to engage in hazing.	**X**	**X**	**X**
18. Bullying and Bullying by Electronic Act [*EC* 48900(r)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Engaged in an act of bullying, including, but not limited to, bullying com- mitted by means of an electronic act, directed specifically toward a pupil.	**X**	**X**	**X**
19. Aided or Abetted to Inflict Physical Injury [*EC* 48900(t)]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Aided or abetted in the infliction or attempted infliction of physical injury to another student.	**X**	**X**	**X**
20. Sexual Harassment [*EC* 48900.2]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. Applies to grades 4-12.	**X**	**X**	**X**
21. Acts of Hate Violence [*EC* 48900.3]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Students in grades 4-12 may be suspended or recommended for expulsion for causing, threatening, or attempting to cause, or participating in an act of hate violence defined as willfully interfering with or threatening another person's person or property rights because of race, ethnicity, national origin, religion, disability, or sexual orientation. Speech that threatens violence, when the perpetrator has the apparent ability to carry out the threat, may be considered an act of hate violence.	**X**	**X**	**X**
22. Other Harassment [*EC* 48900.4]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Students in grades 4-12 may be suspended or recommended for expulsion for intentionally engaging in harassment, threats, or intimidation against a student or group of students when the harassment is severe and pervasive and disrupts classes or creates disorder or an intimidating or hostile educational environment.	**X**	**X**	**X**
23. Terrorist Threats [*EC* 48900.7]	**Alternative to Suspension**	**Suspension**	**Expulsion**
Making terrorist threats against school officials and/or property.	**X**	**X**	**X**

ATHLETICS/

EXTRA AND CO-CURRICULAR

ACTIVITIES

ATHLETICS, EXTRA-and CO-CURRICULAR ELIGIBILITY

Definition of Extra and Co-Curricular Activities

(BP/AR 6145)

For the purpose of this policy, extracurricular activity means a program that has all of the following characteristics:

a. The program is supervised or financed by the school district.
b. Students participating in the program represent the school district.
c. Students exercise some degree of freedom with the selection, planning and control of the program.
d. The program includes both preparation for performance and performance before a public audience.
e. The activity is not part of the regular curriculum, is not graded, does not offer credit and/or does not take place during classroom time.

For the purpose of scholastic eligibility, co-curricular activity means a program that may be associated with the curriculum in a regular classroom (Education Code 35160.5).

Examples of such extra-curricular/co-curricular activities/programs shall include but are not limited to the following:

1. All interscholastic athletics.
2. Instrumental music activities not included as part of the required program.
3. Pep squads, drill team.
4. Student government.
5. Class officers.
6. Club officers.
7. Drama activities not included as part of the required program.
8. Choral productions not included as part of the required program.
9. Competitive speech activities not included as part of the required program.
10. Out-of-class student newspaper presentations and competitions.
11. Out-of-class student yearbook, presentations, and competitions.
12. Other performances or competitive groups.
13. All Agricultural/Scientific Academy Job Shadowing.

In order to participate in extra/co-curricular activities, students in grades 6 through 12 must demonstrate satisfactory educational progress in meeting the requirements for graduation, must be in good behavior standing and attendance.

Scholastic Eligibility

Participation in extra-curricular activities is a privilege. It is presumed that students who are representing their school in various activities are maximizing the educational opportunities that are available to them.

Students who intend to participate in extra/co-curricular activities such as, but not limited to, sports teams, student government, class office, drill team, pep squad, homecoming or other rally activities, newspaper or yearbook staff, and drama, will be held to the Scholastic Eligibility standards.

Eligibility for participation in extra/co-curricular activities is contingent upon the student's maintaining at least a 2.0 grade point average with no F grades, unless a TUSD Extra and Co- Curricular Activity Probation Request Form waiver is signed (See #2 below).

If a student becomes academically ineligible during a sport season, the coach has a choice of keeping the student on the team to practice with the team and not participate in contests or remove the student from the team (coach's option).

In order for students to maintain Scholastic Eligibility, they must maintain a 2.0 grade point average, or be excluded from participation, until he/she achieves a 2.0 grade point average as per first quarter; first semester, third quarter; second semester. (When grades are printed and made available to parents by the registrar.)

Students who intend to participate in extra/co-curricular activities must meet eligibility guidelines:

1. A minimum of a "C" average (2.0 on a 4-point scale) for all classes. High School District students must be currently enrolled in at least 6 classes or the equivalent of 30 credits.

2. Students in grades 9-12 may be placed on academic probation if they receive one "F" during a grading period affecting eligibility. A student on academic probation is allowed to compete or perform in extra and co-curricular activities while on academic probation. The terms of a student's academic probation must be agreed upon by the student, their parent/guardian, and their coach/advisor. The terms of a student's academic probation will also include sound interventions designed to help students succeed. Students may be on academic probation only two times during their high school career. Once a student has been on academic probation two times in their high school career, they must maintain a 2.0 average on a 4.0 scale and have no course failures (no F grades) in any eligibility period thereafter in order to compete or perform. The two times in which a student is allowed to be on academic probation may not be in consecutive grading periods affecting their eligibility. If you are interested in applying for academic probation, please see your high school's Athletic Director or Activities Director/Advisor.

The Governing Board also requires that participating students be satisfactorily progressing towards the District's graduation requirements in order to participate in a sport or activity. Satisfactory progress is hereby defined as the ability to graduate with one's class within conventional timelines, i.e.: eight (8) consecutive semesters from freshman entrance, including summer sessions. C.I.F. rules require that semester grades be used to determine eligibility at the end of the 2nd and 4th quarters (1st quarter, 1st semester, 3rd quarter, 2nd semester, and/or summer school grades).

For the school year, the eligibility policy (ability or inability to participate) begins when the registrar publishes the list of ineligible students based on their marks received on the previous grading period.

The same procedure will be used for the remaining quarters. The eligibility will always be determined by the previous quarter or semester grades (Summer school grades can also be used for the fall eligibility).

In the event a student receives below a 2.0 grade point average on the 2nd semester report and hence would be ineligible in the fall, but said student goes to summer school and in essence raised his/her grade and the grade is acceptable to Tracy/West/Kimball High School, it may be counted. A passing summer school grade may be substituted for a failing grade in the same subject matter. Other courses in summer school become an extra class to be calculated into the overall GPA. If, in the re- computing of the student's grade point average, it raises to 2.0 or above, the student is eligible for participation in the fall quarter. The student shall remain

ineligible until the grades are received by the registrar of Tracy/West/Kimball High School. Summer school students would be permitted to practice but not participate in games until the eligibility is determined by the receipt of the summer school grades. Official transcripts are due to the registrar's office thirty (30) calendar days after the first day of school.

All incoming 9th graders are academically eligible to participate in extra/co-curricular activities. At the end of the first grading period, 9th graders must be eligible. They must have earned a "C" average (2.0 on a 4-point scale) and no course failures.

Any special case or extenuating circumstances surrounding disputed eligibility of a student shall be reviewed by the principal at each site.

An F grade, an incomplete or a No Mark (NM) will automatically cause a student to be ineligible if it causes the GPA to be below a 2.0. Once the incomplete or the No Mark is changed to a passing grade, eligibility will be re-examined.

The Tracy Unified School District and the C.I.F. Sac-Joaquin Section set the standards for student eligibility for all athletic participation. Please visit the following link for details: https://cifsjs.org/about_cif-sjs/Constitution_2122/Article2-Eligibility.pdf . Athletes will be an amateur in the sport in which they compete.

Good Behavior Eligibility

Good behavior standing means that the student has cleared all fines and does not owe more than 15 hours of Saturday School in the current year. Students with 15 or more cumulative tardies in a quarter will be placed on activity restriction. Please see your school site administration for further clearance options.

Students truant and/or suspended on Friday or the last day of the week will be excluded from all extra-curricular activities until the following Monday or the next full day of school.
Students leaving school may not attend any school activities during the current school year if they still owe more than 15 hours of Saturday School or fines. The eligibility list for Saturday School hours will be updated every Tuesday and will be in effect for the next seven calendar days. Hours cleared on Monday will be posted for the following, not current, week.

Extra-Curricular Attendance Eligibility

Students also need to have current school identification cards and have attended school for all six periods on the day of the activity, unless absent for the reasons provided for excused absences under BP/AR 5113 and that have been pre-approved by administration. For example, medical appointments, attending funeral services of an immediate family member, or appearance in a court of law.

A parent may not excuse an athlete except for reasons stated above.

Behavior Expectations

Each student, as a representative of our school, will be encouraged to be well-groomed. Students will follow training rules developed by each athletic coach or advisor with emphasis upon adequate rest, nutrition, cleanliness, safety, and physical fitness.

In keeping with well-established national standards covering all high school athletic activities, athletes will abstain from the use and possession of alcoholic beverages, tobacco and illegal drugs or substances at all

times.

Citizenship

A coach or advisor may impose rules of behavior or conduct for his/her team which has not been addressed elsewhere. Violations of such rules may be handled by the coach/advisor or the assigned administrator for disciplinary action. Violations should be documented and may be cumulative. Appeals may be made to the Athletic Director or the Assistant Principal.

Coaching and Community Responsibility

The Advisor, Director of Athletics, and the Director of Student Activities, who have been trained for leadership, have the prime responsibility for the implementation of these standards; however, it is clearly recognized that all school employees, parents, patrons, and local citizens must also share in this important community responsibility.

The team physician and coach are jointly responsible for the well-being of the athletes and for preparing them for competition so they can play with safety and meet the demands of the sport. The coach is responsible for imparting individual and team skills, game rules and strategy, as well as developing in athletes the ability to cope with the psychological aspects of competition.

The athletic coaches and athletics can have a very positive influence on athletes outside the athletic arena as well; therefore, coaches should strive to use their influence to do whatever they can to guide and assist the athletes in their charge.

Code of Conduct for Athletic Activities

The Tracy Unified School District believes that each of its athletic activities provides a unique forum for the development of discipline, individual sacrifice, and teamwork for interested students. After thorough consideration, the governing board of the District has adopted the following standards for athletes participating in interscholastic activities in keeping with recommendations developed by the State Department of Education, the California Interscholastic Federation (CIF), and the athletic coaching staff activities advisors, and local citizens. Refer to the High School Athletics Handbook for further information.

Athletic League Sportsmanship

As stated in the Athletics Code of Conduct and emphasized in the annual Spirit Leader Workshops, the Athletic League schools believe the qualities of good sportsmanship, including ethical behavior, concern for others, integrity, and generosity, are of primary importance to the activity programs within our league. The quality of every competition is not just determined by the intensity of the activity and/or who wins or loses. In our Athletic Leagues, QUALITY in competition always includes the atmosphere of sportsmanship demonstrated by players, spectators, and the school staffs at the activity.

School Spirit

Be a positive member of our student body and show your school spirit daily. All Fridays are school spirit days; wear your favorite school colors to show your school spirit. Remember, you can make your school the best high school in the State of California. You can show that you care with the following:

1. Courtesy - Toward staff, fellow students, and the officials at school athletic activities.
2. Pride - In everything our school endeavors to accomplish and has accomplished.
3. Sportsmanship - The ability to win and lose gracefully. School spirit means loyalty to all functions of the school.

Student Responsibilities While Competing

Because participation in activities is a privilege, the school advisor has the authority to revoke that privilege when the student does not to comply with the rules.

1. Athletic Leagues and the High Schools will not allow athletes to wear any non-uniform item during competition (headbands, towel messages, etc.).
2. All athletes must remain on their sideline during any disruptions in the game. If an athlete or coach is ejected, it will be for the remainder of that game and the entire next contest.

Team Responsibility

Students will share common goals and group loyalties with other team members. Team membership will demand subordination of self-interests to team values. Each athlete will exercise self-discipline and make the personal sacrifice necessary to the attainment of such team goals. The foregoing standards are based upon a fundamental premise that athlete is in a position of school leadership and should responsibly represent his/her team, school, and community in the highest order.

Students are expected to participate in all practices and games. A student who misses a practice or a game without the coach's prior permission will be subject to disciplinary action from a verbal warning up to dismissal from the team. Missed practices or games due to events such as, but not limited to, Winter Ball, Prom, Magic Mountain, rescheduled games, or club sports are prohibited.

Violations - Extracurricular Activities

It is the responsibility of the advisor to aid and to guide athletes. Discipline will be handled with this thought in mind. Consequences for violations will be based upon considerations the coach, the advisor, or a school administrator feels are in the best interest of the students and squad. The advisor or coach has the right to impose stricter rules of behavior on his/her squad. (Violations will be handled on a cumulative basis.)

ACTIVITIES

Clubs

Clubs are an important part of life on a high school campus. Clubs perform many important functions and provide an opportunity for students to participate in a wide range of fun and interesting activities.
You may create and sign up for a club by seeing the advisor. Consult the Daily Bulletin for club activity information. The Student Bulletin is also available online at the school website: www.tracy.k12.ca.us

All clubs/activities must be approved by the site ASB and administration. All financial activities must be approved by both the ASB and site administration. All monies from these activities must be documented through ASB accounts.

Dances

If a High School holds a dance, that dance is for that school's students only (with the exception of the Winter Ball and Prom). Students wishing to bring a guest to Winter Ball must complete a Guest Registration form, available in the Bookkeeper's Office. The completed form must be submitted to the Bookkeeper's office by 3:30 pm one week prior to the dance. All guests must be pre-approved by the assistant principal before they will be allowed to attend. Guests may not be over 20 years of age. Guests must be in good standing: no more than 15 hours of Saturday School, all fines cleared and good citizenship.

Regular School Dance requirements (Times may vary depending on school)

1. Regular dances are from 9:00 pm/end of football game to midnight.
2. Students must have a current student picture ID card. Off campus passes not accepted.
3. Students must leave campus by 12:15 am.
4. NO students will enter dances after 10:45 pm.
5. Once a student leaves the dance, he/she may NOT return and must leave campus.
6. If required by your school, a signed dance contract must be on file.

Winter Ball Requirements for student and guest (Times may vary depending on school)

1. Dances are from 9:00 pm to midnight.
2. Students must have a current student picture ID card. Off campus pass not accepted.
3. Guests must have a picture ID with date of birth.
4. No guests over the age of 20 will be allowed.
5. Students must leave by 12:15 am.
6. Students may not have more than 15 hours of Saturday School on day of ticket purchase.
7. Students must not own any fines or fees.
8. NO students will enter dances after 10:45 pm.

Dance Guidelines

1. Dance moves may not overtly imitate any sexual act.
2. Any individual removed from the dance will not receive a refund of their money.
3. Students are to conform to the school dress code at regular dances.
4. Students who fail to follow guidelines may have their dance privileges rescinded.
5. Students removed from a school dance for extreme defiance may be prohibited from attending all school dances for the remainder of the school year, including the Winter Ball.

Eligibility Requirements for Senior Activities

Senior activities are school sponsored events that seek to recognize and reward four years of hard work. They are a privilege extended to deserving and graduating seniors. Seniors participating in these events represent their High School and are expected to uphold the highest standards of conduct and behavior. Accordingly, criteria for participation follow:

Activity	Criteria for Participation
Senior Trips/ Magic Mountain / Beach Day/ Senior Breakfast/ Senior Grad Nite/ Senior Sober Nite	Senior status with 190 completed credits at fourth quarter progress report posting. All non-T.U.S.D. credits that are required for the student to graduate must be posted by May 1st. Good Behavior Standing: All Saturday School cleared, and all outstanding consequences satisfied from previous referrals. Cannot be in danger of failing any courses required for graduation, according to most recent report card and/or progress report. All fees cleared.

Graduation Ceremony	Name on the final graduation list and positive participation in all graduation practices. Good Behavior Standing: All Saturday School cleared, and all outstanding consequences satisfied from previous referrals. All fees cleared.
Prom/Military Ball	15 Saturday School hours or less; no library or ASB fines. Good behavior standing.
Social Probation	Any senior on Probation #1 or #2 may not participate in any senior social/extracurricular activity, including but not limited to the following: Prom/Dances Senior Grad Night Trip Senior Banquet/Breakfast Senior Beach Day Graduation Ceremonies

NOTE: Students who graduate at the end of the first semester will not be allowed to participate in second semester senior activities.

Field Trips

During your four years in High School, your class or club may schedule a field trip. For you to participate, you must obtain the signatures of all of your classroom teachers and your parents on the field trip permission form. Students must go and return on the bus and/or district transportation.

There are two types of field trips and two types of permission forms: those as part of the academic curriculum of classes and those considered enrichment through clubs and other extracurricular activities. If you are not performing well in one or more of your classes or have poor attendance, your teacher(s) may choose to not approve your participation in the enrichment field trip. They may refuse to sign the permission form. If the field trip is of an academic nature and tied to classroom curriculum, the signed permission form is required as evidence of notification of your upcoming absence.

Intramural/Lunch Time Activities

Intramural and lunch time activities are available to all students. During these activities, all school rules are in effect. Inappropriate behavior is unacceptable. Violation of the school rules may result in being removed from the activities/ intramurals in addition to permanently losing the privilege to participate.

Student Government

The Student Council is made up of elected officers and appointed commissioners. All student body officers, and appointed commissioners must be enrolled in the Leadership class per the Associated Student Body bylaws. The Council works on desired projects for the Associated Student Body (ASB).

The procedures for running for Student Council Office are quite simple. Potential candidates can pick up an application and petition from the Student Activity Office. Completed applications and petitions should be turned in to the Activities Director in the Student Activity Office. All students running for Student Council Office must meet Scholastic Eligibility Requirements (maintain a 2.0 and no F's in the grading period previous to the one in which the election is going to be held and, if elected, every following grading period and the subsequent elected term.) See the Scholastic Eligibility Policy in this handbook.

PHYSICAL EDUCATION

HEALTH AND SAFETY

PHYSICAL EDUCATION

Physical Education

(BP/AR 6142.7)

The District's physical education program strives to build interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities teaches students how to cooperate in the achievement of common goals.

Facilities

We are fortunate to have one of the best physical education facilities of any school district in the San Joaquin Valley. Let us do our best to keep our facilities looking great! Students can help us maintain the facilities in "showcase shape" by observing the guidelines below:

1. Gym shoes or stocking feet only on Main Gym floor for supervised PE activity.
2. Writing on or defacing any surface in a PE facility will result in suspension from school. Repair or removal costs will be billed to parents as they are legally liable for any such infraction for up to $18,700.00 per incident. (This also applies to the Sub Gymnasiums).
3. Jumping off carpeted walls or hanging on rims or nets will result in appropriate disciplinary action. This also applies to Sub Gymnasiums.
4. Climbing or sitting on bleachers in the stacked position will result in disciplinary action. Bleachers are motorized and such activity damages mechanisms.
5. No food, drink, gum, or sunflower seeds are allowed at any time in the weight room or gyms.
6. All physical education facilities, including locker rooms, gymnasiums, stadium, athletic fields, etc., are off limits at all times except when supervised by an employee of the District. Students may be suspended for being in an unauthorized area without supervision.

PE Uniforms

Students must wear PE attire for PE class. PE uniforms are available for purchase in the Physical Education department and at Registration in August. No grade of a pupil participating in a physical education class, however, may be adversely affected due to the fact that the pupil does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances beyond the control of the pupil. (Education Code Section 49066). Contact your PE teacher at the beginning of school year if you have any questions or concern.

HEALTH

Accidents and Illness

Accident Insurance
(BP 5143)
The school district does not provide insurance for students in the district. Insurance is available to the parents, at a minimal cost, through the Student Accident Insurance Program as underwritten by Pacific Educators.

Parents and students should be aware that the student accident insurance is secondary to the health insurance policy that the family carries. For example, if the student's family insurance pays 80% coverage, then the student insurance policy would pay the additional 20% (less any applicable deductibles). Also, if purchased by the parents, this insurance would come into play in the event a student is injured and does not carry any other health insurance. In any event, the important fact is that this insurance is purchased by the family for the student and is not provided for the student by the school district. Application forms were included in the pre-registration packets. Should you need assistance or additional forms, contact TUSD Business Services, 830-3230.

Some pupils 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 the Healthy Families and Medical Programs Information Line at 1-800-880-5305.

Accident and Illness Procedures
In the event you are involved in an accident, report it immediately to the nearest teacher or supervising adult, obtain a pass, and go directly to the Attendance Office to be seen and a parent to be called. If the accident requires first aid treatment, additional aid will be provided by the Bookkeeper/Nurse. *If you are ill, you are to report to the Attendance Office at once.* A school official will notify the parent/guardian and ask that the student be picked up by a responsible adult. The student will remain in the attendance office until picked up or sent back to class.

In case you witness an accident where another student may be injured, report the accident to the nearest teacher, supervising adult, or go to the office for help. Even minor accidents or injuries should be reported so that care can be given and the proper accident report forms can be filled out on line or in hard copy.

In the event of a serious or potentially serious accident, at least three attempts to contact parents will be made directly after the incident. Contact will be attempted through the home phone number, cell phone number, work number and emergency number. The principal, assistant principal, teacher in charge, or secretary will make the calls. In cases where serious or potentially serious injury is apparent or suspected, these staff members will also notify the emergency unit (911) directly, and/or the school district nurse. Parents and students are responsible for informing the school Attendance Office of any changes in home and emergency phone numbers or address changes.

Students who become ill will report to the Attendance Office with a pass from their teacher.

Arrangements will be made with a family member for the student to go home. Under no circumstances should the student leave campus without permission. If a parent or anyone on the emergency contact form cannot be reached and school officials deem it an emergency, 911 will be called to obtain medical assistance.

Health Examinations

(BP 5141.3)

The Governing Board recognizes the importance of periodic health examinations conducted according to state health regulations.

To determine the health status of students, facilitate the removal of handicaps to learning, and determine whether special adaptations of the school program may be necessary, the Board shall require that periodic examinations be conducted which include tests for vision, and hearing. All personnel employed to examine students shall exercise proper care of each student being examined and shall ensure that the examination results are kept confidential.

A parent/guardian may annually file a statement with the principal withholding consent to any physical examination of his/her child. The child shall be exempt but shall be subject to exclusion due to a suspected contagious or infectious disease.

The principal of each school shall notify parents/guardians of the rights of students and parents/guardians relating to health examination.

Interscholastic Athletic Competition

(BP 6145.2)

All students who participate as cheerleaders, song leaders, or athletes in interscholastic sports are required to file a current medical examination. Compliance with the medical examination requirement is not necessary for participants in a play day or a field day activity occurring occasionally during a school year in which students of one or more particular grade levels from two or more schools in the district participate in athletic contests.

If a student sustains an injury or serious illness, the student may be required by school personnel to have another examination prior to further interscholastic competition.

A student who has been excused from the physical education program because of a medical reason may not participate in any interscholastic athletic competition.

All students engaging in interscholastic athletic competition are required to meet accident insurance requirements prescribed by law.

Administration of Medications

(BP/AR 5141.21)

If it becomes necessary for you to take medication at school, we must have our Medical Form completed by your parent and your doctor prior to bringing the medication to school. This includes both over the counter and prescription drugs. You may obtain this form from the Attendance Office. You should return the signed form and the medication to the Bookkeeper's office right away. Do not keep medication with you or in your locker. This applies to all medications, both prescription and non-

prescription. Exception: Medication prescribed by a Doctor that always requires student to carry. Copy of the prescription must be maintained in the office.

Administration of Epilepsy Medication

A parent or guardian of a pupil with epilepsy who has been prescribed an emergency anti-seizure medication by the pupil's health care provider may request the pupil's school to have one or more of its employees receive voluntary training, as specified, in order to administer the anti-seizure medication, as defined, in the event that the pupil suffers a seizure when a nurse is not available.

Anaphylaxis Treatment

School districts are authorized to provide epinephrine auto-injectors (epi-pens) to provide emergency medical aid by trained personnel to persons suffering from an anaphylactic reaction.

Anaphylaxis is a rapid, severe allergic response triggered by insect stings, foods, medications, latex materials, exercise, or, in rare cases, by unknown causes. This is a life-threatening allergic condition requiring immediate treatment. Administering an epinephrine to students during a medical emergency may help to ensure the student's health and safety at school. Therefore, Tracy Unified School District has adopted AR 5141.21 and BP 5141.21 for standing orders to provide life-saving epinephrine to students who need such treatment effective January 1, 2015.

BP/AR 5141.21 state that a credentialed, licensed school nurse (District Nurse), licensed nurse (LVN), or trained, unlicensed school staff under direct supervision of the credentialed school nurse may administer epinephrine in the form of an epi-pen during a severe, life-threatening allergic reaction. The epi-pen rapidly delivers a pre-measured, sterile, single dose of epinephrine by direct injection through the skin.

Immunizations

Students enrolling for the first time in a district secondary school must present an immunization record from any authorized private or public health care provider certifying that he/she has received all required immunizations in accordance with law. Upon registration, parents/guardians are provided a written notification summarizing the state immunization requirements. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

Starting in the 2019-2020 school year, the regulations require, but are not limited to:

- Two (rather than 1) doses of chickenpox (varicella) vaccine at TK/Kinder entry, 7th grade advancement and TK/Kinder through 12th grade new admissions or transfers
- Two MMR doses and 3 Hepatitis B vaccine doses at admission or transfer throughout TK/K- 12 (age restrictions are removed)
- Medical exemptions for new admissions may be signed only by a California-licensed medical doctor (MD) or Doctor of Osteopathic Medicine (DO)
- Temporary medical exemptions may be issued for no more than 12 months.

For questions, please call your primary care physician today or the San Joaquin County Public Health Services Immunization Program at (209) 468-3481.

Immunization for Pertussis

All students entering 7th through12th grades in the coming school year must have proof of a Tdap booster shot. Documentation must state the shot was given on or after their 7th birthday.

This means that ALL current 6th-11th graders must be up to date.

Schools will turn away students who do not have up to date pertussis immunizations.

Remember to ask your physician about other vaccines your child may need and bring your child's yellow immunization card to the visit. Please return a copy of ALL up to date immunizations to your child's school.

For questions, please call your primary physician today or call the San Joaquin County Public Health Services Immunization Program at (209) 468-3481.
No students will be allowed to attend school, without up to date immunizations.

RIDE (Regional Immunization Data Exchange)

We are now authorized users of RIDE (Regional Immunization Data Exchange). RIDE is a computer-based program that helps us keep track of your child's shots and contact you when shots are due. The information in RIDE is confidential. Your information will only be shared with authorized users such as (a) Doctor, clinic, or hospitals (b) School or Day Care centers (c) WIC (d) Health Care Plans (e) California Department of Public Health Immunization Branch.

As the parent/legal guardian of your child, you do have the right to refuse to participate in this program. For more information, please call your healthcare provider.

RIDE Immunization Registry is a program of San Joaquin County Public Health Services
(209)468-2292 www.izride.com

Type 2 Diabetes Information

The California Department of Education developed this Type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County. Also see available translations of this information.
Type 2 diabetes is the most common form of diabetes in adults.
Until a few years ago, Type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens. According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop Type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.
The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells. The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
In Type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise. Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with Type 2 diabetes be screened (tested) for the disease.

Risk Factors- Researchers do not completely understand why some people develop Type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of Type 2 diabetes in children:

Being overweight. The single greatest risk factor for Type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
Family history of diabetes. Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
Inactivity. Being inactive further reduces the body's ability to respond to insulin. **Specific racial/ethnic groups**. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop Type 2 diabetes. **Puberty**. Young people in puberty are more likely to develop Type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning signs and symptoms of Type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or Type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has Type 2 diabetes.

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

Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat Type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

Eat healthy foods. Make wise food choices. Eat foods low in fat and calories. **Get more physical activity**. Increase physical activity to at least 60 minutes every day.
Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat Type 2 diabetes with medication.

The first step in treating Type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to Type 2 diabetes).

Types of Diabetes Screening Tests That Are Available

Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes. **Random (non-fasting) blood sugar test**. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.

Athletic Head Injury/Concussion/Cardiac Arrest

(BP 6145.2)

An athlete who is suspected of sustaining a concussion or head injury in an athletic activity shall be immediately removed from the activity for the remainder of the day, and shall not be permitted to return to the activity until he or she is evaluated by a licensed health care provider, trained in the management of concussions, acting within the scope of his or her practice. The athlete shall not be permitted to return to the activity until he or she receives written clearance to return to the activity from that licensed health care provider. (Education Code 49475)

On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the athlete and the athlete’s parent or guardian before the athlete’s initiating practice or competition.

The district will also distribute the California Interscholastic Federation (CIF) information sheet on sudden cardiac arrest to all student athletes who will be participating in a CIF-governed athletic activity and to their parents/guardians. The student and parent/guardian shall sign and return the information sheet prior to the student's participation in the athletic activity. If an athletic activity is not covered by the CIF, the student and his/her parent/guardian shall, prior to participating in the athletic activity, sign and return an acknowledgement that they have received and reviewed the sudden cardiac arrest information posted on the California Department of Education's web site. (Education Code 33479.2, 33479.3)

Suicide Awareness, Prevention & Intervention

(BP/AR 5141.52)

Pursuant to AB 2246 and Board Policy 5142.52 AR & 5142.52 BP Suicide Prevention, Tracy Unified School District will be providing Suicide Prevention Awareness instruction to students in grades 8 and 10 during the National Suicide Awareness week. This is a voluntary lesson and parents/guardians can opt out their child, by providing a written note to their child’s school front office. The instructions to opt out of the suicide prevention training may be found on all school site and District websites.

Sexual Health and HIV Prevention Instruction

(BP/AR 6142.1)

In accordance with AB 329 and the California Healthy Youth Act of 2016, the Tracy Unified School District will be providing Sexual Health and HIV Prevention instruction to students in grades 7 and 9. This is a voluntary curriculum and parents/guardians may opt-out their child, by providing a written note to their child's school front office. The instructions to opt out of the sexual health and HIV curriculum may be found on all school site and District websites.

Medical Care Consent for Minors

A minor who is 12 years of age or older and who may have come into contact with an infectious, contagious, or communicable disease may consent to medical care related to the diagnosis or treatment, if the disease or condition is one that is required by law or regulation adopted pursuant to law to be reported to the local health officer, or is a related sexually transmitted disease, as may be determined by the State Public Health Officer.

A minor who is 12 years or older may consent to medical care related to the prevention of a sexually transmitted disease. The minor's parents or guardian are not liable for payment for medical care provided pursuant to this section. (Family Code section 6926)

California Healthy Kids Survey

The District will administer the California Healthy Kids Survey bi-annually to students in grades 5, 7, 9 and 11. In accordance with California Education Code 51937-51938, students in grade 5 must have an active parental consent in order to participate. For grades 7, 9, 11 and other secondary grade levels, the survey must be administered using a passive consent. The California Healthy Kids Survey is sponsored by the California Department of Education this school year. The anonymous survey will help promote better health and well-being among our youth, improve the school learning environment and combat problems such as drug abuse and violence by gathering information. Your adolescent does not have to take the survey as it is completely voluntary. If you do not want your adolescent to complete the survey, you must notify your adolescent's school in writing excusing them from the survey/evaluation.

Tracy Family Center

The Tracy Family Center is a collaborative of public, private non-profit and service organizations established to improve the health of children and their families in the Tracy community, and is part of the Tracy Unified School District. The focus of the community efforts is to help families enroll in the Healthy Families Insurance Program and enroll families in Medi-Cal if they qualify. The Healthy Families Insurance plan is a low-cost plan covering, medical, dental, and vision for children from age one until age nineteen for a low monthly premium. The Tracy Family Center has persons qualified to help the family sign up for this plan as well as answer questions that you might have. They can be reached at: 209-831-5570.

SAFETY PLAN AND EMERGENCY PROCEDURE

Every precaution is taken to ensure the safety of all TUSD students during normal school hours. Throughout the year, emergency drills take place. In the event of an emergency, students will be released from the school ONLY to an adult whose name is on the emergency contacts. Please refer to your Aeries data confirmation page to update your emergency contacts.

CONTRACTS

AGREEMENTS

Tracy Unified School District

HIGH SCHOOL FIGHT CONTRACT

Student's Name_____ DOB_____ School_____

Grade_____ Aeries ID#_____ Parent's Primary Language_____

The student named on this Fight Contract recently engaged in a fight while under the school's jurisdiction. The action of fighting is a violation of Education Code 48900 (a)(1), and/or (a)(2) and the 9-12 Student Conduct Code. The rules regarding student conduct state:

"When a student has been involved in a fight while under the school's jurisdiction, the administration shall initiate significant interventions by requiring parent and student to attend a meeting at school to review and sign a Fight Contract and a referral to conflict management and/or a school counselor upon the student's return to school from suspension. Additionally, a student suspended for fighting shall be placed on social probation for 15 school days."

Students who are involved in three (3) fights in any academic year or who are involved in three (3) fights within their high school career (grades 9-12) and for whom a Fight Contract has been executed, shall be recommended for expulsion unless the principal finds that expulsion is inappropriate due to the particular circumstances.

As the student named on this Fight Contract, I have been informed by the school's administration:

- That fighting is prohibited while on school grounds; while going to or coming from school; during the lunch period whether on or off the campus; and during, or while going to or coming from, a school-sponsored activity.
- That there are decisions I can make to avoid fighting, including, but not limited to, refusing to engage in verbal or non-verbal conduct that may lead to fighting; walking away from a situation; going to an administrator, counselor, or other school official for assistance; refusing to go to a fight/conflict and refusing to associate with students who engage in verbally or physically aggressive behavior toward others.
- That if I am involved in another fight this school year, I will be recommended for expulsion.

Student's Signature_____Date_____

As the parent/guardian of the student named on this Fight Contract, I have been informed by the school's administration that my child will be recommended for expulsion if he/she is involved in another fight this school year or if he/she is involved in a third fight in his/her high school career. I also agree to discuss with my child the importance of following all school rules and treating others with respect.

Parent Signature_____Date_____

As a District interpreter, I explained the Fight Contract to the parent in his/her primary language.

District/Site Interpreter's Signature_____Date_____

As the Administrator implementing this Fight Contract, I have reviewed its contents with this student and parent/guardian.

Administrator's Signature_____Date_____

Note: Parent refused to sign this contract. _____ /_____

Administrator's Signature Witness

Note: Student refused to sign this contract. _____ /_____

Administrator's Signature Witness

TRACY UNIFIED SCHOOL DISTRICT

NETWORK AND COMPUTER RELATED RESOURCES USE AGREEMENT (AUA)

(BP/AR 4040 and BP/AR 6163.4)

In exchange for the use of the Tracy Unified School District ("district") district technology, including, computer systems, and data communication networks, either locally attached or through remote connection on or near school property, in school vehicles and buses, and at school-sponsored activities, the following Acceptable Use Agreement will apply. This is a legally binding agreement when signed. **Please read this document carefully**.

Each student who is authorized to use district technology and his/her parent/guardian shall sign this Acceptable Use Agreement as an indication that they have read and understand the agreement. The guardian/parent must sign when the user is under 18 years of age. The district authorizes students to use technology owned or otherwise provided by the district as necessary for instructional purposes. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable district Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason. The district expects all students to use district technology responsibly and appropriately consistent with district Board policies and regulations, California Education Code, and other local, state, and federal laws and regulations governing the applicable matter in order to avoid potential problems and liability.

Definitions

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

Student Obligations and Responsibilities

The district's network/computer system ("district system") is shared and available to all registered users. The district system may not be used in a way as to disrupt or interfere with its use by others.

Students are expected to use district technology safely, responsibly, and for educational purposes only. Student users will ONLY use authorized accounts they have been personally issued. The student in whose name district technology is issued is responsible for its proper use at all times. All student users must keep their account passwords confidential. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

1. Access, post, submit, publish, display, or otherwise use harmful or inappropriate material that is discriminatory, libelous, defamatory, obscene, sexually explicit, disruptive, harassing, or that could

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

2. Bully/cyberbully, harass, intimidate, or threaten other students, staff, or other individuals
3. Disclose, use, or disseminate personal identification information (such as name, address, telephone number, Social Security number, or other personal information) of yourself, or another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

4. Infringe on copyright, license, trademark, patent, or other intellectual property rights

5. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers)

6. "Hack" into the district system to manipulate data of the district or other users

7. Steal services, including connection of unauthorized network/computer equipment to the system

8. Install non-approved software/programs, and/or the download and install software/programs on district computers and/or network communication systems

9. Use district technology to communicate unlawful information or to transmit computer viruses.

10. Use of the district system for anonymous access or communication of information

11. To send “junk”, “mass”, or “spam” email

12. Engage in other conduct deemed objectionable by the Tracy Unified School District

13. Engage in or promote any practice that is unethical or violates any classroom rules, school conduct code, or any law or Board policy, administrative regulation, or district practice, including any communication advocating, encouraging or supporting illegal activities.
14. Access, delete, move, or alter anyone else’s files and/or data.

15. Communicate using inappropriate language, including swearing and use of vulgarities.

Privacy

Since the use of district technology is intended for educational purposes, students shall not have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, computer files, access to the Internet or social media, email, text messages, instant messaging, and other electronic communications sent or received from district technology, or through the use of district technology. Such monitoring/recording may occur at any time without prior notice for any legal purposes

including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of district technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by a student on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access district technology, he/she shall abide by all applicable Board policies, administrative regulations, and this Acceptable Use Agreement. Access to district technology from personal technology is limited to wireless access points on the school campuses. Access to the district technology from personal technology is not available via hardwire connections. The district assumes no liability for personally owned devices, including computers and smart phones, if such devices are damaged, lost, or stolen. The student and parent/guardian shall indemnify and hold the district harmless from any losses sustained as the result of use or misuse of the district's technology by the student, and/or the loss or damage of personally owned devices.

Reporting

If a student becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, he/she shall immediately report such information to the teacher or other district personnel.

Consequences for Violation

Violations of the law, district Board policies and regulations governing the use of district technology, or this Acceptable Use Agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Board policy/regulation, or this Acceptable Use Agreement may be reported to law enforcement agencies as appropriate.

TRACY UNIFIED SCHOOL DISTRICT ACCEPTABLE USE AGREEMENT (AUA)

NETWORK AND COMPUTER RELATED RESOURCES

(BP/AR 6163.4)

The Tracy Unified School District computer system is intended for the exclusive use of its registered users who are responsible for their password and their accounts. Any problems, which arise from the use of the account, are the responsibility of the account holder. Any misuse of the account or system will result in disciplinary action and/or the suspension or cancellation of privileges. Use of the account by someone other than the registered user will be grounds for cancellation and/or may result in disciplinary action. Students shall report any misuse of district technology to their teacher or principal.

The district shall not be held responsible for any damages suffered by the user of district technology, including those arising from non-deliveries, mis-deliveries, service interruptions, unauthorized use, loss of data and exposure to potentially harmful or inappropriate material sustained or incurred in connection with the use, operation, or inability to use district technology. The district specifically denies any responsibility for the accuracy or quality of information obtained electronically.

The following two sections are for students and their parents and REQUIRE SIGNATURES.

STUDENT AGREEMENT

I have received, read, understand, and agree to abide by this **ACCEPTABLE USE AGREEMENT** and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology. I accept responsibility for the appropriate use of district technology and further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Student (PRINT NAME)	Student ID #	School Site	Signature	Date

If the student is under 18 years of age, a parent/guardian must also read and sign the Agreement.

PARENT/GUARDIAN AGREEMENT

As a parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of this **ACCEPTABLE USE AGREEMENT**. By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet. I understand that, despite the district's best efforts, it is impossible for the district/school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, district, and district personnel against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Parent/Guardian (PRINT NAME)	Signature	Date

OFFICIAL TRANSCRIPT REQUEST FORM FOR CURRENT STUDENT

TRACY UNIFIED SCHOOL DISTRICT

1875 W Lowell Avenue
Tracy, CA 95376
875 W Lowell Avenue

Turnaround time is 2-4 Days.

1. Name			2. **Date of Birth**	**3. Student ID Number**
Last	First	Middle		

4. Send Transcript To

• Name of Institution:	
Attention:	
Number and Street:	
City: State: Zip Code:	
• Name of Institution:	
Attention:	
Number and Street:	
City: State: Zip Code:	

5. Type of Records Requesting ***(Indicate Quantity & Total Cost)***

Transcript Type	**Fee**	**Quantity**		**Cost**
Official High School Transcript	$ 3.00		=	$
-				
Special Services- Fees are in addition to cost of the transcript				**Cost**
Same Day Service	$ 10.00		=	$
Faxing of Documents	$ 5.00		=	$
Total Fees Enclosed				$

NO PERSONAL CHECKS ACCEPTED • FEES ARE PAYABLE BY CASH OR MONEY ORDER

6. Authorization for Release

The signature below verifies that I have completed all sections accurately and enclosed the correct fee. I understand that the fees are nonrefundable. I also understand that this application will not be processed if it is incomplete.

Signature **Date** **For requests being picked up by student**
Initial: **Date**

Extra and Co-Curricular Activity Probation Request Form

Students in grades 9-12 may be placed on academic probation if they receive one "F" during a grading period affecting eligibility. A student on academic probation is allowed to compete or perform in extra and co-curricular activities while on academic probation. The terms of a student's academic probation must be agreed upon by the student, their parent/guardian, and their coach/advisor. The terms of a student's academic probation will also include sound interventions designed to help students succeed. Students may be on academic probation only two times during their high school career. Once a student has been on academic probation two times in their high school career, they must maintain a 2.0 average on a 4.0 scale and have no course failures (no F grades) in any eligibility period thereafter in order to compete or perform. The two times in which a student is allowed to be on academic probation may not be in consecutive grading periods affecting their eligibility. If you are interested in applying for academic probation, please see your high school's Athletic Director or Activities Director. (AR 6145 and BP 6145 Extra and Co-Curricular Activities) The terms of academic probation will include the participation or completion of one or more of the following interventions:

Attend Mandatory Study Hall
Attend Before or After School Labs
Peer Tutoring
Turn in Signed Weekly Grading Reports to Coach
Sign Up for Site Intervention Organizations
Before or After School Help From Teacher
Other _____

By signing below, I agree to the above interventions.

Student Signature _____ Date: _____

Parent/ Guardian Signature _____ Date: _____

Coach/ Advisor Signature _____ Date: _____

Student, parent, coach, and the teacher of failed course must sign the Probation Request Form. Once completed, this form must be turned in to the Athletic Director/ Activities Director for final approval.

For Administrative Use Only

Probation 1 Grading Period _____ Date: _____

Probation 2 Grading Period _____ Date: _____

Athletic Director Activities Director Approved By: _____

Signature _____ Date: _____

BOARD POLICIES AND ADMINISTRATIVE REGULATIONS

UNIFORM COMPLAINT PROCEDURES - BP 1312.3

The Governing Board 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 resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)

2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)

3. After School Education and Safety programs (Education Code 8482-8484.65)

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)

6. Childcare and development programs (Education Code 8200-8488)

7. Compensatory education (Education Code 54400)

8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)

9. Course periods without educational content (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 a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code

48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)

14. Migrant education (Education Code 54440-54445)

15. Physical education instructional minutes (Education Code 51210, 51222, 51223)

16. Student fees (Education Code 49010-49013)

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)

20. School safety plans (Education Code 32280-32289)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

22. State preschool programs (Education Code 8207-8225)

23. State preschool health and safety issues in license-exempt programs (Education Code 8212)

24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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

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

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

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

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

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. 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 (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE 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)

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) Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent

facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Legal References:

State	Description
2 CCR 11023	Harassment and discrimination prevention and correction
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 18100-18203	School libraries
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48645.7	Juvenile court schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52617	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8488	Child care and development programs
Ed. Code 8500-8538	Adult basic education

Gov. Code 11135	Discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes, harassment
Federal	**Description**
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Discrimination based on sex or blindness, Title IX
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
Management Resources	**Description**
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office for Civil Rights Publication	Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
Website	Student Privacy Policy Office
Website	U.S. Department of Agriculture

Website	California Department of Social Services
Website	U.S. Department of Justice
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights
Website	California Department of Fair Employment and Housing

Policy Adopted: TUSD: 06.11.13
Revised: TUSD 09.12.17/ TUSD 06.26.18/ TUSD 05. 24 .22

UNIFORM COMPLAINT PROCEDURES - AR 1312.3

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

(Complaints Concerning District Employees)
(Complaints Concerning Instructional Materials)
(Williams Uniform Complaint Procedures)
(Nondiscrimination in Employment)

Compliance Officers

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

Director of Student Services and Curriculum (209) 830-3280
Or Director of Continuous Improvement, State & Federal Programs (209) 830-3210
Associate Superintendent for Education Services (209) 830-3202

1875 W. Lowell Avenue, Tracy, CA 95376

jnoll@tusd.net
mpetty@tusd.net
jstocking@tusd.net

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 another compliance officer is assigned to the complaint, if applicable.

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, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

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

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, 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 of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy.

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate

3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred

4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct

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

6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading

to evidence to support the complaint

7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision

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

11. A statement that copies of the district's UCP are available free of charge

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

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

Filing of Complaints

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

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

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

Mediation

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

mediation, the compliance officer shall make all arrangements for this process.

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

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

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

Investigation of Complaint

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

Within 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 the 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 the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), 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 any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Investigation Report

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

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

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

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

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

Investigation Report

For all complaints, the 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, harassment, intimidation, and

bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

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

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

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (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.

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

1. Counseling

2. Academic support

3. Health services

4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim

7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

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

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

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

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.
When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith 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 on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (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 at 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 CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (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 UCP

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

Health and Safety Complaints in License-Exempt Preschool Programs

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

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety

Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

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

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and

resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

Regulation Approved: 06.11.13
Revised: 09.12.17/ 08.11.20/ 05. 24.22

BULLYING PREVENTION POLICY - BP 5131.2

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the local control and accountability plan, and other applicable district and school plans.

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination,

harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences

2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims

3. Identify the signs of bullying or harassing behavior

4. Take immediate corrective action when bullying is observed

5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business

day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

When the circumstances involve cyber-bullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices

PENAL CODE

422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
UNITED STATES CODE, TITLE 47
254 Universal service discounts (e-rate)
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources: CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
Cyber bullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California's Social and Emotional Learning: Guiding Principles, 2018
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Guidance to Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010
Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: http://www.csba.org
California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss
California Office of the Attorney General: http://oag.ca.gov
Center on Great Teachers and Leaders: http://gtlcenter.org
Collaborative for Academic Social and Emotional Learning: http://casel.org
Common Sense Media: http://www.commonsensemedia.org
National School Safety Center: http://www.schoolsafety.us
Partnership for Children and Youth: http://www.partnerforchildren.org
U.S. Department of Education: http://www.ed.gov

BULLYING INVESTIGATION PROCEDURES - AR 5131.2

Bullying Investigation Procedures

A. Purpose and Scope

To provide guidance and direction for all District employees regarding Bullying / Harassment, including cyberspace and tech bullying.

B. Definition

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

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupil's person or property.

2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.

4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph

(1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(2). Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

When bullying acts or conduct are based on the actual or perceived characteristics of gender, gender identity, gender expression or sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics, staff members should address and refer complaints about such acts for consideration and investigation under the District's Sexual Harassment Policy (BP 5145.7).

When bullying acts or conduct are based on the actual or perceived characteristics of disability, nationality, race or ethnicity or religion or association with a person or group with one or more of these actual or perceived characteristics, staff members should address such acts and refer complaints about such acts for consideration and investigation under the District's Nondiscrimination/ Harassment Policy (BP 5145.3).

C. Forms Used and Additional References

Bullying /Harassment Claim Interview Sheet

Bullying /Harassment (Informal versus Formal Complaint –Summary of Procedures

D. Procedures

The Tracy Unified School District expects students and/or staff to immediately report incidents of Bullying / Harassment to the principal or designee. Staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of Bullying / Harassment shall be promptly investigated. This policy applies to students whose behavior is related to school activity, students on school grounds, while traveling to and from school or a school- sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity

General Procedures - Students

Any student who feels he or she is being bullied or harassed should immediately report such conduct to his or her teacher, the principal, or any other school administrator, without fear of reprisal. The student

need not first report the Bullying/Harassment to his or her teacher, especially if the student believes the teacher engaged in or knowingly tolerated any Bullying/Harassment of the student. The student may make this report alone or with his or her parent/guardian.

An employee who receives a report of Bullying/Harassment of a student or who witnesses the Bullying/Harassment of a student shall immediately report the incident first to the site administrator or site designee then to the Assistant Superintendent for Educational Services and Human Resources (if alleged Bullying/Harassment is by an employee). Administrators, upon receiving a report of Bullying/Harassment from a student, shall provide the student with a copy of the Bullying/Harassment policy as well as the Administrative Regulation which contains procedures for filing complaints regarding Bullying/Harassment, parents/guardians of the student (victim) shall be contacted.

Each complaint of Bullying / Harassment shall be promptly investigated in a way that attempts to respect the privacy of all parties concerned. If the student requests that his or her name not be disclosed to the alleged harasser, an informal investigation of the allegations shall be conducted to the extent possible without disclosing the complainant's name. In order to file a formal complaint of Bullying/Harassment, the student must be willing to disclose his or her name to the alleged harasser. Parent or legal guardian shall be informed of the investigation.

General Procedures - Any Other Persons

Any person who alleges Bullying / Harassment by any employee or student in the District may file a complaint under the complaint procedures contained in Administrative Regulation 4119.11; 4219.11; and 5145.7.

E. Formal Complaint Procedures

The Board designates the following compliance officers to receive and investigate complaints and ensure compliance with law:

Superintendent or designee email
830-3200 ext. 1004 or email: rpecot@tusd.net

Associate Superintendent of Human Resources
830-3260 ext. 1304, or email: tjalique@tusd.net

Associate Superintendent of Educational Services
830-3202, or email: jstocking@tusd.net

Director of Student Services and Curriculum
830-3280 ext. 1601, or email: jnoll@tusd.net

Principal or site designee please calls site number, for e-mail please see site:
https://www.tracy.k12.ca.us/schools

All complaints can be mailed to:

Tracy Unified School District, 1875

W. Lowell Ave.

Tracy, CA. 95376

It is desirable that complaints of Bullying / Harassment be resolved in a prompt and appropriate manner. If possible, such complaints should be resolved in an informal manner. If the complaint cannot be resolved informally, the following procedures shall be followed for filing a formal complaint of Bullying / Harassment.

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged Bullying/Harassment.

The complaint shall be presented to the Superintendent or designee, who will then give it to the appropriate compliance officer.

The Superintendent or designee will maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints of Bullying / Harassment must be initiated, in writing within sixty (60) calendar days of the date the alleged violation occurred.
If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, superintendent or designee shall help him/her to file the complaint.

Step 2: Investigation of Complaint

Within sixty (60) school days of receiving the complaint, excluding summer session, when the alleged violation occurred during the regular school year, the Superintendent or designee shall complete the investigation of the complaint. This time period may be extended by written agreement of the complainant.

Step 3: Response

Within sixty (60) days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step 4 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within fifteen (15) calendar days, file his/her complaint, in writing, with the Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting.

The Board may decide not to hear the complaint, in which case the compliance officer's decision is final. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within seven (7) calendar days or within the time period that has been specified in a written agreement with the complainant.

Step 4: Final Written Decision

The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District will arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

* The findings and disposition of the complaint.
* Notice of the complainant's right to appeal the decision to the Tracy Unified School District Board of Trustees and procedures to be followed for initiating such an appeal.

If an employee or student is disciplined as a result of the complaint, this report shall simply state that appropriate action was taken and that the employee or student was informed of the District's Bullying Policy. The report shall not give any further information as to the nature of the corrective or disciplinary action. However, when a student is expelled as a result of a substantiated charge of bullying, the expulsion record shall be a non-privileged, disclose-able public record.

The Tracy Unified School District board decision is the final decision.

F. Corrective action

A substantiated complaint of Bullying / Harassment may subject the offending employee or student to corrective action, up to and including suspension and discharge/expulsion. Such corrective action shall be consistent with the California Education Code and any collective bargaining agreement or student discipline code, if applicable.

In the event of harassment by an individual who is not an employee or student of the District, the District will take whatever legal corrective action is reasonable and appropriate under the circumstances.

Even if the reported conduct is not considered Bullying / Harassment under this policy, it may be in violation of other rules and standards of conduct of the District. The District may discipline an employee or student for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. Supervisors may be held personally liable under the law for acts of harassment.

G. Retaliation and confidentiality

The District forbids retaliation against anyone for reporting Bullying / Harassment, filing a complaint pursuant to this policy, assisting in making a Bullying / Harassment complaint, or cooperating in a Bullying / Harassment investigation. Anyone experiencing or witnessing any conduct that believe to be retaliatory are to immediately follow the procedures outlined above. In an investigation and in imposing discipline, the District will attempt to preserve confidentiality to the extent the circumstances permit.

H. Notification – Students and Parents

A copy of the Bullying / Harassment Policy and Administrative Regulation shall be displayed in a

prominent location in the main administrative building located at 1875 W. Lowell Ave., Tracy, CA and in a prominent location near each school principal's office.

Notice of the Bullying / Harassment Policy and the Administrative Regulation which contains the complaint procedures will be distributed to all students of the District at the beginning of the first trimester or semester of the school year, and to any new student at the time that the new student is enrolled. A copy of the Bullying / Harassment Policy and Administrative Regulation shall also appear in any publication of the District that sets forth the comprehensive rules, regulations, procedures, and standards of conduct for the institution
Notification – Students

A copy of the Bullying / Harassment Policy and Administrative Regulation shall be displayed in a prominent location in the main administrative building located at 1875 W. Lowell Ave., Tracy, CA and in a prominent location near each school principal's office.

Notice of the Bullying / Harassment Policy and Administrative Regulation which contain the complaint procedures will be sent to all students and parents or guardians upon enrollment and annually thereafter. A copy of the Bullying Policy and Administrative Regulation shall be provided as part of any orientation program conducted for new students at the beginning of each trimester, semester, or summer session, as applicable. Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of Bullying / Harassment.

Students may also file a separate claim of Bullying / Harassment with the Office of Civil Rights (OCR). The address and telephone number of the OCR is listed under the notifications section for employees.

I. **Record Retention Student and Personnel file when appropriate.**
J. **Record Retention Student and Personnel file when appropriate.**
K. **Responsible Administrative Units Human Resources Student Services**
L. **Approved on 02/12/13 by:**

Assistant Superintendent of Educational Services and Human Resources
Director of Student Services & Curriculum

UNAUTHORIZED GROUPS - BP 5136 (a)

The Governing Board desires to keep district schools and students free from the threats or harmful influence of any unauthorized groups which advocate drug use, or disruptive behavior, such as but not limited to violence, intimidation, threats, coercion, congregating in mass. The principal or designee shall maintain continual, visible supervision of school premises so as to deter unauthorized group intimidation of students and confrontations between members of different unauthorized groups.
The Superintendent or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

The Superintendent or designee shall in cooperation with law enforcement provide in-service training which helps staff to identify various symbols, recognize early manifestations of disruptive activities, and respond to inappropriate behavior. Staff and selected students shall be trained in the use of conflict management techniques and alerted to intervention measures and community resources, which may help our students.

The Board realizes that many students become involved in unauthorized groups without understanding the consequences of unauthorized group association. Early intervention is a key component of efforts to break the cycle of unauthorized group association. Therefore, Violence prevention education in the schools may start with enrollment in TUSD.

The Board prohibits the presence of any apparel, jewelry, accessory, notebook, tattoos or manner of grooming which, by virtue of its color, **or** combination of color, arrangements, trademark, or any other attribute, denotes membership in any unauthorized group, which advocates disruptive behavior such as but not limited to violence, intimidation, threats, coercion and congregation in mass. This policy shall be applied as the need for it arises at individual school sites.
If a student exhibits signs of unauthorized group affiliation, staff shall so inform the parent/guardian.

Legal Reference:

EDUCATION CODE	
32239.*5*	School Violence Prevention and Response Act of 1999
32282	School Safety Plans
35183	Gang-related apparel
35294.10 – 35294.15	School Safety and Violence Prevention Strategy Program
48907	Student exercise of free expression
51264	Educational in-service training; CDE guidelines

UNAUTHORIZED GROUPS - BP 5136 (b)

51265	Gang violence and drug and alcohol abuse prevention in-service training
51266-51266.5	Model gang and substance abuse prevention curriculum
41511	Gang Risk Intervention Programs

PENAL CODE

186.22	Participation in criminal street gang
13826-13826.7	Gang violence suppression

UNITED STATES CODE, TITLE 20

7101-7143	Safe and Drug-Free Schools and Communities Act of 1994

Management Resources:

On Alert:
Gang Prevention in School and Inservice Guidelines, January 1994 CDE PUBLICATIONS
Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1996
CSBA PUBLICATIONS

Adopted: 06/09/98
Revised: 05/13/08

UNAUTHORIZED GROUPS - AR 5136

Purpose and Scope
The Governing Board desires to give school sites and district guidelines that keep schools free from threats and harmful influence of any unauthorized group activity which advocate drug use, disruptive behavior, such as, but not limited to violence, intimidation, threats, coercion, congregating in mass.

Prevention and Intervention Measures
In order to discourage the influence of unauthorized groups, school staff shall take the following measures:

1. Any student displaying behavior, gestures, apparel or paraphernalia indicative of unauthorized group affiliation shall be referred to the principal or designee.
    a. The student's parent/guardian shall be contacted and may be asked to meet with school staff.
    b. The student may be sent home to change clothes if necessary.

2. Staff members shall be provided with the names of known unauthorized group members.

3. Students who seek help in rejecting unauthorized group associations may be referred to community-based unauthorized group suppression and prevention organizations.

4. Any unauthorized group graffiti on school premises shall be removed, washed down or painted over as soon as discovered.
    a. Daily checks for graffiti shall be made throughout the campus.
    b. Graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.

5. Classroom and after-school programs at each school shall be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities. These programs shall also:
    a. Explain the dangers of unauthorized group membership
    b. Provide counseling for targeted at-risk students
    c. Include lessons or role-playing workshops in unauthorized group avoidance skills and nonviolent conflict resolution, including communication skills, anger management, ethnic/cultural tolerance, and mediation skills
    d. Assign individual unauthorized group members to cooperative learning groups in which they may work toward common goals with students who are not members of their unauthorized group
    e. Provide school-to-career instruction
    f. Provide positive interaction with local law enforcement staff

Unauthorized group prevention lessons may be taught jointly by teachers and law enforcement staff.

6. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging, including:
   a. Positive sports and cultural activities and affiliations with the local community
   b. Structured, goal-oriented community service projects Community Outreach Unauthorized group prevention classes or counseling offered for parents/guardians shall address the following topics:
      1. The dangers of unauthorized group membership
      2. Warning signs which may indicate that children are at risk of becoming involved with unauthorized groups
      3. The nature of local unauthorized group apparel and graffiti
      4. Effective parenting techniques
      5. Conflict resolution techniques

B. Discipline Process

Staff will use the following techniques and procedures to discourage the influence of unauthorized groups:

1. Upon a first offense, when a student causes, attempts to cause or threatens to cause physical injury to another student as a part of any unauthorized group activity, the following shall result:
   a. Parent/guardian contact.
   b. A five (5) day suspension and recommendation for an expulsion for a minimum period of nine (9) weeks.
   c. A requirement that the student must apply for readmission to school after he/she has served the minimum expulsion period.
   d. A recommendation for a rehabilitation program that is subject to review at a time of application for readmission. The plan shall include, but is not limited to:
      (i) Community Service minimum of 20 hours - maximum of 80 hours, to be recommended by the District Discipline Review Board based upon the seriousness of the violation of the Education Code.
      (ii) A minimum of eight (8) weeks of counseling.
      (iii) Prohibited from violating any of the sub-sections (a) through (q) contained in Education Code 48900 associated with school attendance.
      (iv) Prohibited from participating in unauthorized group related activities, flying colors, or displaying unauthorized group paraphernalia.
   e. A recommendation for an extension of the suspension to the expulsion hearing date.
   f. Unauthorized Group Contract

2. Upon a first offense, when a student causes, attempts to cause physical injury to classified or certificated staff member as part of any unauthorized group activity, the following shall result:
   a. Parent/guardian contact.
   b. A five (5) day suspension and recommendation for an expulsion for a minimum period of the balance of the semester in which the violation occurred plus one additional semester.
   c. A requirement that the student must apply for readmission to school after he/she has served the minimum expulsion period.

d. A recommendation for a rehabilitation program that is subject to review at the time of application for readmission. The plan shall include, but is not limited to:

(i) Community Service minimum of 20 hours - maximum of 80 hours, to be recommended by the District Discipline Review Board based upon the seriousness of the violation of the Education Code.
(ii) A minimum of eight (8) weeks of counseling.
(iii) Prohibited from violating any one of the sub-sections (a) through (q) contained in Education Code 48900 associated with school attendance.
(iv) Unauthorized Group Contract and Law Enforcement Contact.

e. Contact with law enforcement agency.

3. Upon a first offense, when a student wears or carries any apparel, jewelry, accessory, notebook, or makes gestures that symbolize unauthorized group membership, the following shall result:
   a. Referral to the principal or designee.
   b. Student sent home to change clothes or provided with alternative clothing.
   c. Confiscation of unauthorized group related jewelry, accessory, notebook, etc.
   d. Parent/guardian contact.
   e. Documented counseling with a "No Unauthorized Group Contract" and Law Enforcement contact.

4. A second offense of #3 above will result in the following:
   a. Parent/guardian conference.
   b. One to five day suspension.

5. A third offense will result in the following:
   a. Parent/guardian contact.
   b. A minimum five day suspension.
   c. Contact with law enforcement agency.
   d. Possible recommendation for expulsion.

6. A fourth and subsequent offenses will result in the following:
   a. Parent/guardian contact.
   b. A minimum five day suspension and recommendation for expulsion
   c. Contact with law enforcement agency.
   d. Possible recommendation for expulsion.

7. Any unauthorized group graffiti on school premises shall be removed, washed down or painted over as soon as discovered.
   a. Daily checks for graffiti shall be made throughout the campus, including restroom walls and doors.
   b. Graffiti shall be photographed before it is removed. These photographs will be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.

8. Classroom and after-school programs at each school shall be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a

variety of positive activities.

9. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging.

10. Each school within the Districts shall develop an action plan that includes but is not limited to the following.
    a. Inservice for all staff on signs and symptoms of unauthorized group activity.
    b. Techniques and procedures to discourage the influence of unauthorized groups.
    c. Campus safety and supervision.
    d. Unauthorized group prevention education.
    e. Outreach program for students identified as unauthorized group-oriented students as well as actual members of existing unauthorized groups.
    f. Parent support program. Unauthorized Group Prevention Education

1. Explain the dangers of unauthorized group membership

2. Include lessons or role-playing workshops in nonviolent conflict resolution and unauthorized group avoidance skills.
3. Promote constructive activities available in the community.

4. Involve students in structured, goal-oriented community service projects.

5. Encourage positive school behavior.

Unauthorized group prevention lessons may be taught jointly by teachers, law enforcement staff, and contracted organizations.

Community Outreach

Unauthorized group prevention classes or counseling offered for parents/guardians shall address the following topics:
1. The dangers of unauthorized group membership.

2. The nature of local unauthorized group apparel and graffiti.

3. Ways to deal effectively with one's children.

4. Warning signs which may indicate that children are at risk of becoming involved with. an unauthorized group.

5. Resources available to them for further assistance.

Community programs offered for staff, parents/guardians, churches, city officials, business leaders and the media shall address:

1. The scope and nature of local unauthorized group problems.
2. Ways that each segment of the community can help to alleviate these problems.

Intervention Measures

Staff shall make every effort to engage unauthorized group-oriented students into the academic, extra-curricular and social mainstream and into work experience programs. To this end:

1. Staff members shall be provided with updated information regarding unauthorized group activities which advocate drug use, disruptive behavior, such as but not limited to violence, intimidation, threats, coercion, congregating in mass.
2. Classroom teachers shall refer individual unauthorized group oriented students for individual and/or group counseling.
3. Students who seek help in rejecting unauthorized group associations may be referred to community-based unauthorized group suppression and prevention organizations.

D. Forms Used and Other References
None

E. Procedure
Outlined in school discipline handbooks and consistent with Board Policy.

F. Reports Required
Suspension Documents Expulsion Documents

G. Record Retention
Expulsion Documents

H. Responsible Administrative Unit
Student Services

I. Approved by the Administrator of the Division
Educational Services

SEXUAL HARASSMENT - BP 5145.7

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

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

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

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

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to endure sexual harassment under any circumstance

3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as

the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students

6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues

8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

Disciplinary Actions

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

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

Record-Keeping

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

Adopted: 03/24/15
Revised: 05/24/22

Legal References:

STATE	DESCRIPTION
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment
Ed. Code 48904	Liability of parent/guardian for willful student misconduct
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Gov. Code 12950.1	Sexual harassment training
Federal	**Description**
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Discrimination based on sex or blindness, Title IX
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 99.1-99.67	Family Educational Rights and Privacy
34 USC 12291	Definition of dating violence, domestic violence, and stalking
42 USC 1983	Civil action for deprivation of rights
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
Management Resources	**Description**
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Court Decision	Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015

U.S. DOE, Office for Civil Rights Publication	Q&A on Campus Sexual Misconduct, September 2017
U.S. DOE, Office for Civil Rights Publication	Sexual Harassment: It's Not Academic, September 2008
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

SEXUAL HARASSMENT - AR 5145.7

Definitions

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.

Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.

The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.

1. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions

2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions

3. Graphic verbal comments about an individual's body or overly personal conversation

4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature

5. Spreading sexual rumors

6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class

7. Massaging, grabbing, fondling, stroking, or brushing the body

8. Touching an individual's body or clothes in a sexual way

9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex

10. Displaying sexually suggestive objects

11. Sexual assault, sexual battery, or sexual coercion

12. Electronic communications containing comments, words, or images described above

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee investigate, and/or resolve sexual harassment complaints processed under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator(s) may be contacted at:

Jason Noll
Title IX Officer
Director of Student Services
1875 W. Lowell Ave, Tracy, Ca 95376
(209) 830-3280

Notifications

The Superintendent or designee shall notify students and parents/guardians that the district does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The district shall notify students and parents/guardians of the name or title, office address, email address,

and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)

4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6; 34 CFR 106.8)

5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

6. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

7. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

Reporting Complaints

A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Promptly after receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, promptly report the observation to the principal or Title IX Coordinator. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures.

Complaint Procedures

All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to BP/AR 1312.3 - Uniform Complaint Procedures.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

Administrative Regulation Approved: TUSD 03.24.15
Revised: TUSD 05.24.22

TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES - AR 5145.71

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)
A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity

Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291
All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

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

Reporting Allegations/Filing a Formal Complaint

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

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint. (34 CFR 106.44)

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)
Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

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

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be non-disciplinary, nonpunitive, and designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal from School

A student shall not be disciplined for alleged sexual harassment under Title IX until the investigation has been completed. However, on an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

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

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the

reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

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

Informal Resolution Process

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

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

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

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

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

Written Notice

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

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

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

   If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

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

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

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

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

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

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

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

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

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

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

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

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

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

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

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

Written Decision

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

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

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

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

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

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

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

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

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

3. Findings of fact supporting the determination

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

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

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

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator

3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome

4. Issue a written decision describing the result of the appeal and the rationale for the result

5. Provide the written decision simultaneously to both parties

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

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

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

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

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

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

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

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

1. Transfer from a class or school as permitted by law

2. Parent/guardian conference

3. Education of the student regarding the impact of the conduct on others

4. Positive behavior support

5. Referral of the student to a student success team

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

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

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom

2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances

3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly

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

Acknowledged: 03/24/15

NONDISCRIMINATION/ HARASSMENT - BP 5145.3

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

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

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

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

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

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

including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students. Complaints of sexual harassment that meet the federal Title IX definition shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

Record-Keeping

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

Legal Reference:

EDUCATION CODE

200-262.4	Prohibition of discrimination on the basis of sex, especially:
48900.3	Suspension or expulsion for act of hate violence
48900.4	Suspension or expulsion for threats or harassment
48904	Liability of parent/guardian for willful student misconduct
48907	Student exercise of free expression
48950	Freedom of speech
48985	Translation of notices
49020-49023	Athletic programs
51500	Prohibited instruction or activity
51501	Prohibited means of instruction
60044	Prohibited instructional materials

CIVIL CODE

1714.1	Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55	Definition of hate crime
422.6	Crimes, harassment

CODE OF REGULATIONS, TITLE 5
432 Student record
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688	Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42

2000d-2000e-17	Title VI & VII Civil Rights Act of 1964 as amended

2000h-2-2000h-6	Title IX, 1972 Education Act Amendments
6101-6107	Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information

100.3	Prohibition of discrimination on basis of race, color or national origin
104.7	Designation of responsible employee for Section 504
106.8	Designation of responsible employee for Title IX
106.9	Notification of nondiscrimination on basis of sex
106.30	Discrimination on the basis of sex in education programs
106.44	District response to sexual harassment
106.45	Grievance process for formal complaints of sexual harassment
110.25	Prohibition of discrimination based on age

COURT DECISIONS
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:
CSBA PUBLICATIONS
Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS PUBLICATIONS
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, Fact Sheet, August 2010

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
California Office of the Attorney General: http://oag.ca.gov
First Amendment Center: http://www.firstamendmentcenter.org
National School Boards Association: http://www.nsba.org
U.S. Department of Education, Office of Civil Rights: http://www.ed.gov/offices/OCR
Policy Adopted: 08.27.13
Revised 6.26.18, 05.24.22

NONDISCRIMINATION/ HARASSMENT - AR 5145.3

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Mr. Jason Noll

1875 W. Lowell Ave, Tracy, CA 95376

209-830-3280

jnoll@tusd.net

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)

    a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address

    b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

    c. A description of how to file a complaint of noncompliance under Title IX, which shall include:

        i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

        ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

        iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

    d. A link to the Title IX information included on the California Department of Education's (CDE) web site

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.

7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will

address any individual student's interests and concerns in private.

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

   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 nondiscrimination 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 information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students.

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity

2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable

3. Blocking a student's entry to the restroom that corresponds to the student's gender identity

4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex

5. Revealing a student's gender identity to individuals who do not have a legitimate need for the information, without the student's consent

6. Using gender-specific slurs

7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, transgender, and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that intersex, nonbinary, transgender, and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's intersex, nonbinary, transgender, or gender-nonconforming status is the student's private information. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

   The district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's intersex, nonbinary, transgender, or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as an intersex, nonbinary, transgender, or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

   As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's intersex, nonbinary, transgender, or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, transgender, or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not

limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as an intersex, nonbinary, transgender, or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is intersex, nonbinary, transgender, or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

5. Student Records: Upon each student’s enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student’s gender and legal name.

   A student's legal name as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. A student’s gender as entered on the student’s official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)

   However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student’s legal name or gender, any change to the student’s record shall be limited to the student’s unofficial records such as attendance sheets, report cards, and school identification.

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

Regulation Approved:

TUSD 5. 24 .22

The Board Policies (BP) and Administrative Regulations (AR) cited throughout this handbook can be found on the Tracy Unified School District's website under the Board of Education tab or can be requested from your school site.

KNOW YOUR EDUCATIONAL RIGHTS

EDUCATIONAL RIGHTS

Your Child has the Right to a Free Public Education

All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians.

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

Information Required for School Enrollment

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

Confidentiality of Personal Information

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

child's information in the directory.

- Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.

- You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.