



AVISO ANUAL PARA LOS PADRES 2025-2026

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Estimado padre, madre o tutor legal:

La ley estatal exige que los distritos escolares y la oficina de educación del condado ("oficina del condado") proporcionen un aviso anual a los padres y tutores legales acerca de ciertos derechos y responsabilidades. Los padres y tutores están obligados de acusar recibo de este aviso por firmar y regresar este recibo y reconocimiento (Parte I del Formulario A) a su distrito escolar o programa de la oficina del condado.

PLAN DE ESTUDIOS E INSTRUCCIÓN

Materiales de Instrucción:

Todos los materiales educativos y evaluaciones principales y suplementarias, incluyendo libros de texto, manuales para maestros, películas, grabaciones de audio y video, y software, serán recopilados y guardados por el instructor del salón de clases y serán disponible con prontitud para que un padre, madre o tutor legal los inspeccione dentro de un tiempo razonable o de acuerdo con las políticas y procedimientos del distrito escolar o de la oficina del condado. Código de Educación §§ 49091.10(a); 51101(a)(8).

Observación:

Mediante una solicitud escrita, un padre, madre o tutor legal tiene derecho a observar la instrucción y otras actividades escolares en las que esté involucrado su hijo(a), lo cual puede tener como propósito elegir una escuela de acuerdo con las políticas del consejo acerca de las transferencias entre distritos y dentro del distrito. Toda observación deberá hacerse de acuerdo con las políticas establecidas para garantizar la seguridad de los alumnos y del personal escolar y para evitar que haya una interferencia indebida en la instrucción o acoso al personal de la escuela. Código de Educación §§ 49091.10(b); 51101(a)(1).

Creencias:

No se podrá obligar que el alumno afirme o repudie ninguna visión particular del mundo sea personal o privada, doctrina religiosa u opinión política. Esto no exime a los alumnos de su obligación de realizar sus tareas regulares del salón de clases. Código de Educación § 49091.12(a).

Plan de Estudios:

El plan de estudios, incluyendo títulos, descripciones y objetivos de instrucción de cada curso ofrecido por las escuelas públicas, se elaborará por lo menos una vez al año en un folleto informativo. El folleto informativo está a disposición para revisión mediante solicitud y para fotocopiar a un costo moderado. Código de Educación §§ 49091.14; 49063(k).

Disección de Animales:

Los alumnos que tengan una objeción moral para practicar disecciones o causar daño o destruir animales en otra forma como parte de un programa educativo tienen derecho de solicitar un proyecto educativo alternativo. Código de Educación §§ 32255-32255.6, 48980(a).

Salud sexual y educación para la prevención del VIH:

La Ley Jóvenes Saludables (la "Ley") autoriza al distrito escolar u oficina de condado a brindar una educación completa en salud sexual y prevención del VIH a todos los alumnos de los grados 7 a 12. Código de Educación, §§ 51933 y siguientes, 48980(a).

- Usted podrá inspeccionar los materiales escritos y audiovisuales utilizados para la educación completa en salud sexual y prevención del VIH. Código de Educación § 51938.
- Usted recibirá una notificación para darle a conocer si la educación completa en salud sexual y prevención del VIH será impartida por el distrito escolar u oficina del condado o por asesores externos. Código de Educación § 51938.
- Usted puede solicitar una copia de la Ley al distrito escolar o a la oficina del condado. Código de Educación § 51938.
- Usted puede solicitar por escrito que su hijo(a) sea eximido de recibir la educación completa en salud sexual y prevención del VIH. (Llene la Parte II del Formulario A para hacer una solicitud). Código de Educación § 51938.

Pruebas, cuestionarios, encuestas y exámenes sobre creencias o costumbres personales:

Ningún alumno recibirá pruebas, cuestionarios, encuestas o exámenes que contengan preguntas acerca de las creencias o costumbres del alumno o de sus padres o tutores legales con relación al sexo, vida familiar, moralidad o religión, excepto que su padre, madre o tutor legal lo autorice previamente por escrito. Los padres y tutores legales de todos los alumnos de los grados 7 a 12 tendrán la oportunidad de revisar cualquier prueba, cuestionario o encuesta acerca de la actitud o las costumbres de los alumnos relacionadas con el sexo antes de que sean administrados, así como la oportunidad de solicitar por escrito que su hijo(a) no participe. Código de Educación §§ 51513, 51938, 51939.

Días mínimos y Desarrollo de Personal:

Anexo a este aviso se encuentra el calendario del año escolar que incluye la programación actual de los días mínimos o de los días sin alumnos para desarrollo del personal. Los padres y tutores legales serán notificados durante el año escolar acerca de días mínimos adicionales y días para desarrollo del personal sin alumnos a más tardar un mes antes del día mínimo o del día sin alumnos. Código de Educación § 48980(c).

CONDUCTA Y DISCIPLINA DE LOS ALUMNOS**Acoso sexual:**

El distrito escolar y la oficina del condado prohíben que haya acoso sexual realizado o sufrido por alumnos o por cualquier persona empleada o que trabaje de alguna manera o como voluntario para el distrito escolar o la oficina del condado. El acoso sexual prohibido incluye, entre otras conductas, los acercamientos sexuales no deseados, los pedidos de favores sexuales y otros comportamientos verbales, visuales o físicos de tipo sexual. La persona que crea que está siendo discriminada o acosada debe comunicarse de inmediato con su director o con el representante del director para que atiendan la situación. Se puede presentar una queja por escrito de acuerdo con el Procedimiento de Quejas Uniforme de la oficina del distrito o condado. Los procedimientos para presentar quejas por escrito pueden encontrarse en todas las escuelas. Anexa a este aviso se encuentra una copia de la política escrita del distrito escolar u oficina del condado sobre acoso sexual con respecto a los alumnos. Código de Educación §§ 48980(f), 212.5, 231.5; 5 C.C.R. § 4917.

Evaluaciones:

No se aplicarán pruebas de evaluación de la conducta, o de evaluación mental o emocional a los alumnos sin el consentimiento informado por escrito de parte de su padre, madre o tutor legal. Código de Educación § 49091.12(c).

Ausencias injustificadas:

Los padres y tutores legales serán notificados de manera oportuna si su hijo(a) falta a la escuela sin permiso. Código de Educación § 51101(a)(4).

Ausentismo Escolar:

Cuando su hijo sea clasificado inicialmente como un faltista habitual de la escuela, usted será notificado de lo siguiente:

- a. Que su hijo tiene ausencias injustificadas.
- b. Que usted está obligado a forzar la asistencia de su hijo a la escuela.
- c. Que usted podría ser culpable de una infracción criminal y pasible de enjuiciamiento si no cumple con esta obligación.
- d. Que hay programas alternativos de educación en el distrito.
- e. Que usted tiene el derecho de reunirse con el personal escolar correspondiente para hablar acerca de soluciones a las ausencias injustificadas de su hijo.
- f. Que su hijo podría estar sujeto a arresto o custodia temporal, bajo la sección 48264 del Código de Educación.
- g. Que se recomienda que usted acompañe a su hijo a la escuela y que asista a clases con él o ella durante un día.

Código de Educación § 48260.5.

Ausentismo escolar crónico:

El padre o tutor legal de cualquier alumno de los grados 1 al 8 a quien se descubra que es “faltista habitual crónico” podría declararse culpable de un delito menor. Código de Educación § 48263.6; Código Penal § 270.1.

Reglamento de conducta para los alumnos:

Se puede obtener una copia del reglamento de conducta a través del director o del representante del director. El padre, madre o tutor legal de un alumno suspendido por un maestro podrán estar obligados a asistir a una parte de un día de clases en la clase de su hijo(a) o dependiente. Código de Educación §§ 35291, 48980(a), 48900.1.

SEGURIDAD, SALUD Y TRATAMIENTO MÉDICO DE LOS ALUMNOS**Política acerca de las huellas dactilares:**

En el momento de la inscripción se proporciona información referente a la política del distrito escolar u oficina del condado acerca de las huellas dactilares, si existe. Código de Educación §§ 32390, 48980(e).

Servicios médicos confidenciales:

Las autoridades escolares podrán permitir que cualquier alumno inscrito en los grados 7 a 12, inclusive, se ausente de la escuela para recibir servicios médicos confidenciales sin el consentimiento de la madre, padre o tutor. Código de Educación § 46010.1.

Inmunización a los alumnos:

Ningún alumno será admitido a la escuela excepto que haya recibido las inmunizaciones que requiere la ley. El distrito puede permitir que un médico o cirujano licenciado, u otro profesional médico que actúe bajo la supervisión de un médico o cirujano, administre un agente de inmunización a un alumno cuyo padre o tutor ha consentido por escrito a la administración de dicho agente de inmunización. Si existe motivo justificativo por pensar que un alumno haya sido expuesto a una enfermedad contagiosa y sus registros de comprobante de inmunización no indican ninguna prueba de inmunización contra dicha enfermedad, se podrá excluir al alumno temporalmente de la escuela hasta que el funcionario de salud local quede conforme de que el alumno que no presente un riesgo de contraer ni de transmitir la enfermedad.

Se el padre, madre o tutor entrega una declaración de un médico autorizado a la autoridad a cargo que dice que la condición física del menor es tal, o que las circunstancias médicas relativas al menor son tal que la inmunización no se considera segura, indicando la naturaleza específica y la probable duración de la condición o circunstancias médicas, incluyendo pero no limitado a su historial familiar médico por el cual el médico no recomienda la inmunización, el menor quedará exento de los requisitos de inmunización. Cualquier menor con una exención médica autorizada antes del 1.º de enero de 2020 podrá continuar su inscripción hasta que se inscriba en la próxima fase escolar. “Fase escolar” significa (1) desde el nacimiento hasta preescolar; (2) jardín de niños de transición hasta el 6.º grado, inclusive; (3) grados 7 a 12. A partir del 1.º de julio de 2021, un alumno no podrá ser admitido o readmitido incondicionalmente, o admitido/avanzar al séptimo grado, a menos que haya sido inmunizado o presente una exención médica que cumpla con el formulario estatal obligatorio.

A partir del 1.º de enero de 2016, la Legislatura de California eliminó la exención de requisitos de inmunización específicamente basada en las creencias personales. Los alumnos que entregaron una carta o declaración jurada a su escuela en que expresaron sus creencias en contra de la inmunización antes del 1.º de enero de 2016 serán permitidos inscribirse hasta la próxima fase escolar. “Fase escolar” significa: (1) desde el nacimiento hasta preescolar; (2) jardín de niños de transición a 6.º grado, inclusive; y (3) grados 7 a 12.

Código de Salud y Seguridad §§ 120335, 120370; Código de Educación §§ 48216, 48980(a), 49403.

Exámenes físicos:

Cualquier alumno puede ser excluido de los exámenes físicos cuando los padres presenten una declaración por escrito ante la escuela en el que expresen que no dan su consentimiento para que el alumno sea sometido a examen físico. Siempre que haya una buena razón para creer que el alumno padece una enfermedad contagiosa o infecciosa, éste será excluido de asistir a la escuela. (A los niños se les aplican exámenes de la vista, oído y curvatura de la espina dorsal en niveles escolares seleccionados). Código de Educación §§ 48980(a), 49450 – 49455.

Exámenes psicológicos:

El padre, madre o tutor legal tienen derecho a recibir información acerca de los exámenes psicológicos que la escuela aplica a los alumnos y negar el permiso para aplicar dichos exámenes. Código de Educación § 51101(a)(13).

Medicación de los alumnos:

Los alumnos que deban tomar en la escuela medicamentos prescritos y que deseen la asistencia del personal escolar deben entregar un escrito de instrucciones de parte de un médico o cirujano o médico asistente, tal como lo exige la ley, en el que se describa el nombre del medicamento, el método, la cantidad y los horarios en los que el medicamento debe tomarse, así como una declaración por escrito de parte de uno de los padres, padres de acogida o tutores legales del alumno que indique su deseo de que la escuela asista en la administración de las instrucciones del médico, cirujano o médico asistente. Los alumnos que deseen llevar consigo y administrarse por sí mismos epinefrina autoinyectable prescrita y/o un medicamento inhalado autoadministrado para el asma deben presentar tanto una declaración por escrito con instrucciones de su médico o cirujano o médico asistente, tal como lo exige la ley, que incluya una confirmación de que el alumno es capaz de autoadministrarse dicho medicamento, así como una declaración por escrito de parte de uno de los padres, padres de acogida o tutores legales del alumno en el que dé su consentimiento para la autoadministración, y las exenciones de responsabilidad para la escuela aplicables. Cualquier alumno que utilice epinefrina autoinyectable o un medicamento inhalado para el asma en forma distinta a la prescrita quedará sujeto al reglamento de conducta. Código de Educación §§ 48980(a), 49423, 49423.1.

Medicación continuada:

El padre, madre o tutor legal de un alumno en un régimen de medicación continuada debido a una condición no episódica deberá informar a la escuela el nombre del medicamento prescrito, la dosis actual y el nombre del médico supervisor. Mediante el consentimiento del padre, madre o tutor legal, la (el) enfermera(o) escolar u otro empleado asignado se puede comunicar con el médico en relación a los efectos posibles del medicamento sobre el comportamiento físico, intelectual y emocional, así como sobre los signos y síntomas de los efectos secundarios adversos, omisión y sobredosis. Cód. de Educación § 49480.

Seguro de los alumnos:

El distrito escolar o la oficina del condado pueden proporcionar o poner a disposición servicios médicos u hospitalarios, o ambos, para lesiones que sufran los alumnos derivadas de los programas o actividades escolares. Ningún alumno será forzado a aceptar estos servicios. Usted puede obtener más información referente a la disponibilidad del seguro de accidentes si se comunica con el director de su escuela. Código de Educación §§ 48980(a), 49472.

Atención médica de emergencia:

Los padres/tutor deberán proporcionar información de contacto para emergencias vigente y actualizada a la escuela donde asiste su hijo, incluyendo su domicilio, número de teléfono, dirección y teléfono del trabajo, y el nombre, dirección y número de teléfono de un pariente o amigo autorizado a cuidar a su hijo en caso de emergencia si no nos podemos poner en contacto con los padres/tutor. Si su hijo(a) se enferma o lesiona durante el horario normal de clases y necesita tratamiento médico razonable, y usted no puede ser localizado, el distrito escolar, la oficina del condado o el director no pueden hacerse responsables legalmente del tratamiento razonable de su hijo(a) enfermo o lesionado sin el consentimiento previo de usted, excepto si ya ha presentado una objeción por escrito para cualquier tratamiento médico que no sea de primeros auxilios. Código de Educación §§ 49407; 49408.

Seguridad de los alumnos:

Los padres y tutores legales tienen derecho a contar con un ambiente de aprendizaje seguro y de apoyo para sus hijos(as). Código de Educación § 51101(a)(7).

Opción de escuela insegura:

A los alumnos que asistan a una escuela persistentemente peligrosa, y los alumnos que sean víctimas de un delito criminal violento, mientras se encuentren en los terrenos de una escuela pública, se les permitirá asistir a una escuela pública segura. 5 C.C.R. §§ 11992, 11993; 20 U.S.C. § 7912.

Campus Libre de Tabaco:

Está estrictamente prohibido el uso de productos con tabaco en cualquier momento por los alumnos, el personal, los padres o visitantes en edificios que sean de propiedad de la oficina del condado o del distrito o que hayan sido rentados por estos, en establecimientos de la oficina del condado, de la escuela o del distrito, y en vehículos de la oficina del condado, de la escuela o del distrito. Esta prohibición se aplica a todos los empleados, alumnos y visitantes que participen de cualquier programa institucional, actividad o evento deportivo promovido por la escuela que se realice dentro o fuera de establecimientos de la oficina del condado o del distrito. Los productos prohibidos abarcan todo producto que contenga tabaco o nicotina, incluidos, entre otros, el tabaco sin humo, tabaco de aspirar, tabaco de mascar, cigarrillos de clavo de olor y cigarrillos electrónicos que funcionen con nicotina y con soluciones vaporizadas libres de nicotina. Código de Salud y Seguridad § 104420.

Vestimenta de protección contra el sol/bloqueador solar:

Cualquier alumno puede usar vestimenta de protección contra el sol, incluyendo protección para la cabeza, para uso en el exterior durante el día escolar, de acuerdo con las políticas sobre vestimenta del distrito escolar u oficina del condado. Los alumnos pueden usar protector solar durante el horario escolar sin tener una nota o prescripción médica pero el personal de la escuela no está obligado a ayudar a los alumnos aplicar el protector solar. Código de Educación § 35183.5.

Evaluación de la salud oral:

Cualquier alumno, mientras esté inscrito en un jardín de infantes en una escuela pública o inscrito en el primer grado si no estuvo previamente inscrito en el jardín de infantes, a menos que sea dispensado, debe presentar prueba, no más tarde del 31 de mayo del año escolar, de haber sido sometido a una evaluación oral de parte de un dentista autorizado o de parte de otro profesional de la salud dental autorizado o registrado. Si bien el “jardín de infantes” comprende tanto el jardín de infantes de transición como el jardín de infantes, la prueba de evaluación de salud oral del alumno en su primera inscripción se tiene que presentar una sola vez para el programa de jardín de niños de dos años. La evaluación debe realizarse no antes de 12 meses de la inscripción inicial del alumno. Código de Educación § 49452.8.

Información sobre la diabetes tipo 1:

Se puede obtener información sobre la diabetes tipo 1 en el sitio web del Departamento de Educación de California: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp> Código de Educación sección 49452.6.

Peligros del uso de drogas sintéticas:

Los padres/tutores deben estar al tanto de la posibilidad de que las píldoras falsificadas contengan drogas sintéticas peligrosas y del riesgo de la comercialización y venta de drogas sintéticas, como el fentanilo, a través de las plataformas de redes sociales. Se puede encontrar información sobre los peligros asociados con el uso de drogas sintéticas no recetadas por un facultativo, como el fentanilo, en el sitio web del Distrito. Código de Educación § 48985.5.

DESEMPEÑO Y EVALUACIÓN DE LOS ALUMNOS

Informe de rendición de cuentas escolar:

Se puede obtener una copia del Informe de rendición de cuentas escolar mediante una solicitud a la escuela de su hijo. Código de Educación § 35256.

Reunión con el maestro y director:

Mediante un aviso razonable, los padres y tutores legales tienen derecho a reunirse con el o los maestros del alumno y el director. Código de Educación § 51101(a)(2).

Notificación a los padres:

Los padres y tutores legales tienen derecho de ser notificados respecto a los resultados de las pruebas del salón de clases y estandarizadas, cuando su hijo(a) ha sido identificado como riesgo de retención, y de ser informados acerca de los reglamentos de la escuela, incluyendo medidas y procedimientos disciplinarios, políticas de asistencia, políticas de retención y promoción, reglas sobre vestimenta, procedimientos para visitas a la escuela, e información sobre la persona de contacto en caso que surjan problemas con su hijo(a). Códigos de educación §§ 48070.5, 51101(a)(5), (9), (12), (16).

Expectativas académicas:

Los padres y tutores legales tienen derecho a ser informados sobre las expectativas escolares de su hijo(a). Código de Educación § 51101(a)(11).

Requisitos de admisión a la universidad e información de carreras técnicas:

Los distritos escolares que ofrezcan cualquiera de los grados 9 a 12 proporcionarán la siguiente explicación breve de los requisitos de admisión a la universidad, una descripción breve acerca de la educación de carreras técnicas, e información acerca de cómo los alumnos pueden reunirse con los consejeros escolares para que les ayuden a seleccionar los cursos que cumplan con los requisitos de admisión a la universidad y/o para inscribirse en cursos para educación en carreras técnicas.

1. Requisitos de admisión a la universidad (requisitos A-G) para la Universidad del Estado de California (CSU) y para la Universidad de California (UC)

Información adicional acerca de los requisitos de admisión para el sistema de la CSU se puede encontrar en <https://www.calstate.edu/apply>. Información adicional acerca de los requisitos de admisión para el sistema de la UC se puede encontrar en <https://admission.universityofcalifornia.edu/>

El manual para alumnos de la escuela secundaria contiene información adicional acerca de los cursos disponibles.

- a. Historia o Ciencias Sociales – 2 años
- b. Inglés – 4 años
- c. Matemáticas – 3 años (UC recomienda 4 años)
- d. Ciencia de Laboratorio – 2 años (UC recomienda 3 años)
- e. Idioma que no sea inglés – 2 años (UC recomienda 3 años)
- f. Artes Visuales y Dramáticas – 1 año
- g. Curso Electivo de Preparación – 1 año

2. Educación para carreras técnicas (Career Technical Education, CTE)

La educación para actividades profesionales técnicas es un programa de estudio que involucra una secuencia de cursos de años múltiples y que integra el conocimiento académico básico con el conocimiento técnico y laboral para brindar a los alumnos un camino hacia la educación y carreras posteriores a la secundaria. Información adicional referente a la educación para carreras técnicas se puede encontrar en <http://www.cde.ca.gov/ci/ct/>

3. Servicios de Consejería

Los consejeros de la escuela secundaria están disponibles para reunirse con los padres y alumnos y ayudarles a seleccionar los cursos que cumplan con los requisitos de admisión para la universidad, para inscribirse en la educación para carreras técnicas, o para ambos. Si desea programar una cita con un consejero, comuníquese al departamento de consejeros.

Código de Educación §§ 48980(k); 51229.

Examen de colocación avanzada:

Los alumnos inscritos en al menos una clase de colocación avanzada y que califiquen para desventaja económica pueden solicitar asistencia para cubrir el costo de las cuotas del examen de colocación avanzada. Los alumnos deben comunicarse con un asesor u otro administrador en su escuela para obtener información de elegibilidad. Código de Educación §§ 48980(j), 52240 y siguientes.

Participación en evaluaciones estatales y posibilidad de pedir una eximición:

Los alumnos que estén en los grados correspondientes participarán en el Sistema de Evaluación del Desempeño y Progreso de los Alumnos de California (CAASPP, por su sigla en inglés) salvo que estén eximidos por ley. Todos los años, los padres pueden presentar una solicitud por escrito para eximir a su hijo(a) de alguna o de todas las partes de la evaluación CAASPP correspondiente a ese año escolar. Código de Educación §§ 60640, 60615, 5 CCR § 852.

REGISTROS DE LOS ALUMNOS**Acceso al expediente académico de los alumnos:**

Los padres y tutores legales tienen derecho a acceder al expediente escolar de su hijo y cuestionar y recibir una respuesta de la escuela referente a asuntos relacionados con el expediente académico de su hijo(a) que un padre/tutor crea que es inexacto, engañoso o que es una invasión de la privacidad de su hijo. Código de Educación §§ 51101(a)(10), (15), 49063(f); 49069.7.

Notificación del derecho de privacidad de los alumnos:

La ley federal y estatal otorga a los alumnos, y a sus padres y tutores legales, ciertos derechos de privacidad y derechos de consulta del expediente académico de los alumnos. Se debe conceder el acceso total al registro escrito personalmente identificable que mantiene el distrito escolar o la oficina del condado a: (1) los padres o tutores legales de los alumnos de 17 años o menores; y (2) a los alumnos de 18 años o mayores, o a los alumnos que asistan a una institución de educación posterior a la secundaria ("alumnos adultos"). Además, los padres o tutores legales de los alumnos de 18 años o mayores que sean dependientes para declaración de impuestos y los alumnos de 16 años o mayor que hayan terminado el grado 10, así como los alumnos de 14 años de edad o mayores que son considerados niño o joven sin hogar o un joven no acompañado conforme a la ley McKinney-Vento de Ayuda para Personas sin Hogar ("alumnos elegibles") deben tener acceso a aquellos expedientes de los alumnos particulares correspondientes al legítimo interés educativo del solicitante.

Los padres o tutores legales, o los alumnos adultos o elegibles, pueden revisar sus expedientes individuales haciendo una solicitud al director. El director proporcionará explicaciones e interpretaciones si se solicitan.

Además, los padres, tutores legales, los alumnos adultos o elegibles pueden recibir una copia de cualquier información del expediente del alumno a un costo razonable por página. Las políticas y procedimientos del distrito escolar y oficina del condado relacionados con los tipos de expedientes, tipo de información retenida, personas responsables de mantener los expedientes de los alumnos, información de directorio, acceso por terceras personas, revisión, y para cuestionar el contenido de los expedientes, están disponibles mediante el director de la escuela de su hijo o su representante. Los padres y tutores legales pueden comunicarse con la escuela de su hijo para revisar la lista de personas que han solicitado o revisado información del expediente de su hijo. El acceso a los expedientes de los alumnos sólo se concederá a aquellos que tengan un legítimo interés educativo.

Cuando un alumno se cambie a otro distrito escolar, su expediente será transferido mediante solicitud del nuevo distrito. En el momento de transferencia, los padres, tutores legales o alumnos elegibles pueden cuestionar, revisar o recibir una copia del expediente solicitado mediante un pago razonable. Los padres y tutores legales pueden comunicarse con el distrito escolar u oficina del condado respecto a cualquier política sobre la revisión y eliminación de expedientes de los alumnos.

Si usted considera que el distrito escolar o la oficina del condado no cumplen con los reglamentos federales relacionados con la privacidad, puede presentar una queja ante la Oficina de Cumplimiento de las Políticas Familiares (Family Policy Compliance Office) del Departamento de Educación de los Estados Unidos que se encuentra en 400 Maryland Avenue, SW, Washington, DC 20202-5920.

El distrito escolar también pone a disposición cierta información de directorio de los alumnos según la legislación estatal y federal. Esto significa que el nombre del alumno, fecha de nacimiento, domicilio, número telefónico, email, especialización escolar, participación en actividades oficialmente reconocidas y deportes, peso y altura de los miembros de equipos atléticos, fechas de asistencia, grados y reconocimientos alcanzados, y la última escuela pública o privada a la que el alumno asistió pueden facilitarse a ciertas agencias específicas. Es posible que la información correspondiente de directorio no se proporcione a ninguna entidad privada con fines de lucro excepto a empleadores, empleadores potenciales o a representantes de noticieros. Es posible que los nombres y domicilios de los alumnos del último año o que se gradúan se proporcionen a escuelas públicas o privadas, y universidades. La información de directorio no incluye la ciudadanía, condición migratoria, lugar de nacimiento, ni ningún otro dato que indique el origen nacional, y el distrito no divulgará dicha información sin consentimiento de los padres o una orden de la corte.

Mediante solicitud por escrito de los padres o tutores legales de los alumnos de 17 años o menores, el distrito escolar retendrá la información de directorio relacionada con los alumnos. (Debe llenar la Parte III del Formulario A para hacer una solicitud). Si el alumno tiene 18 años o más o está inscrito en una institución de educación posterior a secundaria y presenta una solicitud escrita, se respetará la solicitud del alumno para negar el acceso a la información de directorio. Las solicitudes deberán enviarse dentro de 30 días después de recibir este aviso.

Para los alumnos identificados como “niños o jóvenes sin hogar” según lo define la Ley McKinney-Vento de Ayuda para Personas sin Hogar, no se revelará su información de contacto a menos que un padre, madre o alumno que tenga derechos de paternidad haya prestado su consentimiento por escrito a que se revele la información de contacto.

Código de Educación §§ 49060-49078, 51101; FERPA 20 Cód. de EE. UU. (U.S.C.) § 1232g; 34 Cód. de Regulaciones Federales (C.F.R.) § 99.37.

Revelación de información del alumno conforme a una orden de un tribunal o citación:

Información relacionada con los alumnos debe proporcionarse en conformidad con la orden de un tribunal o citación expedida legalmente. Se deberá hacer el esfuerzo que sea razonable para notificar al padre, madre o tutor legal antes de revelar la información del alumno en conformidad con una citación dictada legalmente y, en el caso de una orden del tribunal, si fuera legalmente posible dados los requisitos de dicha orden. Código de Educación § 49077.

Acceso por parte de reclutadores militares:

Los reclutadores militares tendrán acceso a todos los nombres de los alumnos de secundaria, sus domicilios y números telefónicos a menos que los padres o tutores legales soliciten que esa información no sea facilitada sin su consentimiento previo por escrito. 10 U.S.C. § 503, 20 U.S.C. § 7908.

Datos compartidos con la Iniciativa de orientación universitaria de California:

La Iniciativa de orientación universitaria de California (California College Guidance Initiative, CCGI) colabora con los distritos escolares de California para que los estudiantes puedan solicitar el ingreso a la universidad y la ayuda económica de manera más expeditiva. CCGI recibe actualmente del Departamento de Educación de California los datos de inscripción de todos los estudiantes de las escuelas públicas del 6º al 12º grado. Se podría compartir información sobre los registros académicos de los alumnos del 9º al 12º grado con CCGI para lo siguiente: (i) proporcionar a los alumnos y sus familias acceso directo a herramientas y recursos en línea para planificar sus estudios universitarios y carreras profesionales; y (ii) permitir que los alumnos transmitan la información compartida con CCGI a instituciones educativas postsecundarias con fines de admisión y asignación académica, y a la Comisión de Ayuda Estudiantil (Student Aid Commission) con el fin de determinar su elegibilidad para ayuda económica estudiantil y aumentar la cantidad de alumnos que la soliciten. Puede obtener más información sobre CCGI en su sitio web: <https://www.californiacolleges.edu/#/>
Código de Educación, §§ 60900, 60900.5.

ASISTENCIA, INSTRUCCIÓN TEMPORAL E INSCRIPCIÓN

Ausencias justificadas:

Ningún alumno tendrá su grado reducido o sufrir una pérdida de créditos académicos debido a ausencia justificada cuando las tareas o pruebas perdidas que puedan de manera razonable ser proporcionadas se cumplan satisfactoriamente en un plazo razonable de tiempo. La ausencia justificada se define en el Código de Educación 48205 como una ausencia:

1. Debida a enfermedad del alumno, incluso una ausencia para beneficio de la salud mental o conductual del alumno.
2. Debida a cuarentena de acuerdo con las instrucciones de un funcionario de salud del condado o de la ciudad.
3. Debida a atención médica, dental, oftálmica o quiropráctica.
4. Debida a la asistencia a servicios funerarios de un miembro o duelo por el fallecimiento de un miembro de la familia inmediata del alumno según se define en el Código de Educación, o de una persona que el padre, madre o tutor del alumno determine que tiene una asociación tan cercana con el alumno como para considerarlo parte de la familia inmediata, con la condición de que la ausencia no sea más de cinco (5) días por incidente.
5. Debida al servicio como miembro de un jurado en la forma establecida por la ley.
6. Debida a enfermedad o cita médica durante el horario escolar de un niño de quien el alumno es el padre con custodia, incluyendo ausencias para cuidar a un hijo enfermo para quien la escuela no deberá requerir una nota del médico.
7. Debida a motivos personales justificables, incluyendo pero sin limitarse a, asistencia o comparecencia ante un tribunal, asistencia a un funeral, cumplimiento de un día festivo o ceremonia de la religión del alumno, asistencia a un retiro religioso que no deberán exceder una (1) jornada escolar por semestre, asistencia a una conferencia sobre empleo o asistencia a una conferencia educativa sobre el proceso legislativo o judicial ofrecido por una organización sin fines de lucro cuando el padre o tutor legal haya solicitado por escrito la ausencia del alumno y haya sido aprobada por el director o su representante asignado en conformidad con las normas establecidas por el consejo administrativo del distrito escolar.
8. Debida al propósito de servir como miembro del consejo electoral para una elección en conformidad con el artículo § 12302 del Código Electoral.
9. Para el propósito de pasar tiempo con un miembro de la familia inmediata del alumno que sea un miembro en servicio activo de los servicios uniformados, según se define en el Código de Educación 49701, y que haya sido llamado a servicio para, esté en permiso de ausencia de, o haya regresado inmediatamente de, despliegue a una zona de combate o puesto de apoyo de

combate. Las ausencias otorgadas de conformidad con este párrafo se otorgarán para un periodo de tiempo a ser determinado a discreción del superintendente del distrito escolar.

10. Para asistir a la ceremonia de naturalización del alumno para ser ciudadano estadounidense.
11. Para el propósito de participar en una ceremonia o evento cultural. "Cultural" significa relacionado con las costumbres, hábitos, creencias y tradiciones de un cierto grupo de personas.
12. Para que un alumno de la escuela intermedia o preparatoria participe en un evento cívico o político, como por ejemplo, y sin que esta sea una lista exhaustiva, votar, trabajar en un centro de votación, participar en huelgas, comentarios públicos, discursos de candidatos, foros políticos o cívicos, y asambleas municipales, siempre y cuando el alumno notifique su ausencia a la escuela por adelantado.
 - (i) Un alumno que se ausente por esta razón solo podrá ser justificado por el total de una jornada escolar por año académico.
 - (ii) Un alumno que se ausente por esta razón podrá tener otras ausencias justificadas a discreción del administrador escolar.
13. Para cualquier otro fin descrito en las cláusulas (i) a (iii) a continuación, si un miembro inmediato de la familia del alumno, o una persona que el padre, madre o tutor del alumno determine que tiene una asociación tan cercana con el alumno como para considerarlo parte de la familia inmediata del alumno, ha fallecido, siempre y cuando la ausencia no supere los tres (3) días por incidente.
 - (i) Para acceder a servicios proporcionados por una organización o agencia de servicios para víctimas, tal como se define en el Código de Gobierno, sección 12945.8(i).
 - (ii) Para acceder a servicios de apoyo al duelo.
 - (iii) Para participar en planes de seguridad o tomar cualquier otra medida para aumentar la seguridad del alumno o un miembro inmediato de la familia de alumno, o una persona que el padre, madre o tutor del alumno determine que tiene una asociación tan cercana con el alumno como para considerarlo parte de la familia inmediata del alumno, como por ejemplo, y sin que esta sea una lista exhaustiva, la reubicación temporal o permanente.Toda ausencia que supere los tres (3) días por las razones descritas más arriba quedará sujeta a la discreción del administrador escolar o la persona que este designe, conforme a la sección 48260 del Código de Educación.
14. Debido a la participación del alumno en el procesamiento de ingreso a las Fuerzas Armadas.
15. Autorizada a discreción del administrador escolar, tal como se describe en la subdivisión (c) de la Sección 48260 del Código de Educación.

Los alumnos con ausencias justificadas podrán terminar todas las tareas y pruebas no realizadas durante su ausencia, y que puedan proporcionarse de manera razonable, y una vez terminadas durante un periodo de tiempo razonable recibirán el crédito completo por dichas tareas y pruebas. El maestro del grupo del cual el alumno está ausente determinará las pruebas y tareas que serán razonablemente equivalentes, pero no necesariamente idénticas a las pruebas y tareas que el alumno no presentó durante su ausencia.

Código de Educación §§ 48980(a), (i), 48205; Código Electoral § 12302.

Ausencias por prácticas o instrucción religiosa:

Con el consentimiento por escrito del padre/tutor, se podrá permitir una ausencia de la escuela para participar en prácticas o instrucción religiosa, ajustándose a las limitaciones especificadas en la sección 46014 del Código de Educación, siempre y cuando la Junta del distrito haya adoptado una resolución permitiendo dicha ausencia y haya adoptado un reglamento que gobierna dichas ausencias y la información sobre las mismas. Código de Educación §§ 46014, 48980(a).

Opciones de asistencia:

Las leyes de California conceden a los padres/tutores el derecho de recibir una notificación de todas las opciones de asistencia establecidas por las leyes estatales y las opciones de asistencia locales disponibles en el distrito escolar, incluyendo las opciones para cumplir con los requisitos de residencia para asistencia escolar, opciones programáticas ofrecidas en las zonas de asistencia local, y toda opción programática especial disponible, tanto entre distritos como dentro del distrito.

Los padres/tutores pueden comunicarse con la escuela del alumno o con el distrito de residencia para obtener más información sobre las opciones estatales y locales disponibles, incluyendo información sobre los procedimientos de solicitud para áreas o programas de asistencia alternativas y formulario(s) de solicitud de cambio de asistencia, y para obtener información sobre el proceso de apelación, si lo hubiere, en el caso de que se rechace una solicitud de cambio de asistencia.

Código de Educación, § 48980(g).

Instrucción individual:

Excepto para los alumnos que reciben instrucción particular de acuerdo con el programa patrocinado por el distrito escolar o la oficina del condado, los alumnos con discapacidad temporal que hace que la asistencia a las clases regulares o a un programa de educación

o alternativo en que el alumno esté inscrito imposible o no aconsejable recibirá ya sea instrucción individual en la casa proporcionada por el distrito escolar donde éste tenga su domicilio, o instrucción individual en un hospital o establecimiento de salud residencial, excluyendo hospitales estatales, proporcionada por el distrito escolar donde se encuentra el hospital u otro establecimiento de salud residencial. Código de Educación §§ 48206.3, 48980(b).

Residencia durante la hospitalización:

No obstante, los requisitos educativos obligatorios, los alumnos con discapacidad temporal que se encuentren en un hospital o en otra instalación de salud, excluyendo hospitales estatales, ubicada fuera del distrito escolar en donde residen los padres o tutores legales del alumno, se considerarán que cumplen con los requisitos de residencia para asistir a la escuela en el distrito escolar donde está ubicado el hospital. Los padres y tutores legales de los alumnos con discapacidad temporal serán los principales responsables de notificar al distrito escolar en donde se considere que reside el alumno, acerca de la presencia del alumno en un hospital de calificación con los requisitos. Código de Educación §§ 48207, 48208, 48980(a).

Residencia basada en el empleo del padre/tutor legal:

Se considerará que el alumno cumple los requisitos de residencia para asistir a la escuela en un distrito escolar si el padre o tutor legal del alumno reside fuera de los límites del distrito escolar, pero trabaja y vive con el alumno en el lugar de su empleo dentro de los límites del distrito escolar por un mínimo de tres días durante la semana escolar. Código de Educación § 48204(a)(7).

También puede considerarse que el alumno cumple los requisitos de residencia para asistir a la escuela en un distrito escolar si por lo menos uno de los padres o tutores legales tiene su empleo dentro de los límites del distrito por un mínimo de 10 horas durante la semana escolar. Código de Educación, § 48204(b).

Alumnos con un padre/madre/tutor que presta servicio militar activo:

Se considerará que un menor cumple con los requisitos de residencia para asistir a la escuela en un distrito escolar si a su padre/madre/tutor lo trasladan, o tiene el traslado pendiente, a una instalación militar dentro del estado mientras presta servicio militar activo de conformidad con una orden militar oficial y el padre/madre/tutor del alumno proporcionó comprobante de domicilio en el distrito escolar dentro de los diez (10) días de la fecha de arribo proporcionada en la documentación oficial. Código de Educación § 48204.3

Alumno con padres residentes de California trasladados contra su voluntad:

Un alumno cumple con los requisitos de residencia para asistir a la escuela en un distrito escolar si su padre/madre/tutor(es) eran residentes del estado, pero se fueron en contra de su voluntad y el alumno solicita admisión a una escuela en un distrito escolar, si se reúnen determinados requisitos. Código de Educación § 48204.4.

Asistencia donde reside el cuidador:

Si su hijo vive en la casa de un cuidador adulto, según lo define la ley, su hijo puede asistir al distrito escolar donde está ubicada dicha residencia. Hace falta una declaración jurada firmada bajo pena de perjurio por el cuidador adulto para poder establecer que su hijo vive en la casa del cuidador. Código de Educación, sección 48204(a); Código de Familia, secciones 6550, 6552.

Inscripción dentro del distrito:

Los residentes de un distrito escolar pueden solicitar la inscripción de sus hijos en otras escuelas dentro del distrito para que asistan, dependiendo de los espacios que haya disponibles. La inscripción dentro del distrito no es aplicable a distritos que tienen solo una escuela o escuelas que no tienen los mismos grados escolares. Código de Educación § 35160.5(b).

Asistencia entre distritos:

Los alumnos pueden asistir a una escuela en un distrito diferente al distrito de su lugar de residencia según un acuerdo interdistrital. Todos los distritos escolares han adoptado políticas sobre asistencia entre los distritos. Puede comunicarse con su escuela para mayor información. Código de Educación, secciones 46600 y siguientes.

Solicitud de escuela específica:

Los padres/tutores tienen el derecho de solicitar una escuela específica y de recibir una respuesta. Dicha respuesta no obliga a la escuela a conceder la solicitud. Código de Educación, sección 51101(a)(6).

Aviso de escuelas alternativas:

La ley del estado de California autoriza a todos los distritos escolares a ofrecer escuelas alternativas. La sección 58500 del Código de Educación define una escuela alternativa como una escuela, o grupo de clase separado dentro de una escuela, operada y diseñada para:

- a. Maximizar las oportunidades de que los alumnos desarrollen los valores positivos de independencia, iniciativa, cortesía,

espontaneidad, inventiva, valor, creatividad, responsabilidad y alegría.

- b. Reconocer que el mejor aprendizaje es aquél en que el alumno aprende porque desea aprender.
- c. Mantener un entorno de aprendizaje que maximice la automotivación y aliente al alumno a seguir sus propios intereses en su tiempo. Estos intereses pueden provenir en todo o en parte de presentaciones de sus maestros o de proyectos de aprendizaje.
- d. Maximizar las oportunidades para que los maestros, padres y alumnos desarrollen en forma cooperativa el proceso de aprendizaje y su materia. Estas oportunidades deberán constituir un proceso continuo y permanente.
- e. Maximizar las oportunidades para que los alumnos, maestros y padres reaccionen en forma continua al mundo cambiante, incluyendo entre otras cosas la comunidad donde se encuentra la escuela.

En el caso de que un padre/tutor, alumno o maestro esté interesado en obtener más información sobre escuelas alternativas, el superintendente de las escuelas del condado, la oficina administrativa de este distrito y la oficina del director de cada unidad de asistencia tiene copias de las leyes disponibles para su información. Esta ley autoriza en particular a las personas interesadas a solicitar al consejo administrativo del distrito que establezca programas de escuelas alternativas en cada distrito. Para obtener más información, comuníquese con la escuela. Código de Educación, secciones 58500; 58501.

VARIOS

Participación de los padres:

Los padres y tutores legales tienen derecho de participar como miembros del consejo escolar, en un comité de asesoría para padres, o en un grupo de dirección administrativa con base escolar de acuerdo con las reglas que rigen la membresía de esas organizaciones. Se anexa a este aviso una copia de la política del distrito escolar relacionada con la participación de los padres. Código de Educación § 51101(a)(14).

Tiempo y recursos de voluntariado:

Los padres y tutores legales pueden ofrecer voluntariamente su tiempo y recursos para mejorar las instalaciones y programas escolares bajo la supervisión de los empleados del distrito, como por ejemplo brindar ayuda en el aula con la aprobación y bajo la supervisión directa del maestro. Si bien los padres voluntarios pueden ayudar con la instrucción, la responsabilidad primaria de la instrucción será del maestro. Código de Educación § 51101(a)(3).

Campus abierto:

Un distrito escolar que haya decidido permitir que los alumnos de la escuela secundaria salgan de la propiedad de la escuela durante el periodo de almuerzo no se hará responsable de la conducta o seguridad de dichos alumnos mientras que dichos alumnos no se encuentren dentro de la propiedad de la escuela durante dicho periodo. Código de Educación § 44808.5.

Política contra la discriminación:

El distrito escolar y la oficina del condado tienen políticas de no discriminación basada en la raza, color, ascendencia, nacionalidad, origen nacional, condición migratoria, identificación con un grupo étnico, edad, religión, estado civil, embarazo o paternidad, discapacidad física o mental, sexo, orientación sexual, género, identificación o expresión de género, o información genética; la percepción de una o más de dichas características o asociación con una persona o grupo con una o más de dichas características, ya sean reales o percibidas, en todas sus políticas, costumbres o procedimientos, programas o actividades. La política se aplica a todos los actos relacionados con la actividad o asistencia escolar en una escuela bajo la jurisdicción del distrito escolar y la oficina de condado, y todos los actos del consejo u organismo administrativo de la agencia educativa local, del superintendente del distrito escolar y del superintendente de las escuelas del condado al dictar políticas y procedimientos que gobiernan la agencia educativa local. La política contra discriminación del distrito escolar y de la oficina del condado cumple con los requisitos del Título VI y del Título VII de la Ley de Derechos Civiles de 1964, del Título IX de las Enmiendas Educativas de 1972, Sección 504, de la Ley de Rehabilitación de 1973 ("Sección 504"), de la Ley para Mejorar la Educación de los Individuos con Discapacidades de 2004 y de otras leyes estatales y federales relacionadas. Los alumnos o padres o cualquier otra persona que tenga preguntas o preocupaciones en relación con estas políticas contra la discriminación y el acoso, o quien desee presentar una queja, deben comunicarse al distrito escolar o a la oficina del condado. Código de Educación §§ 220, 234.1; 5 C.C.R. §§ 4900 y siguientes.

Alumnos con necesidades especiales/Sección 504:

Los distritos escolares del Condado de Yuba están incluidos en el Área del Plan Local de Educación Especial del Condado (Special Education Local Plan Area, SELPA). Los alumnos con necesidades especiales, según están definidas en el Código de Educación § 56026, tienen derecho a educación pública y gratuita apropiada. Si usted sospecha que su hijo(a) tiene necesidades excepcionales debido a una discapacidad, puede solicitar una evaluación de elegibilidad para recibir servicios de educación especial. Comuníquese con el director de la escuela o a la Oficina de Educación del Condado de Yuba al teléfono (530) 749-4900. Código de Educación § 56300 y siguientes.

Algunos alumnos con necesidades especiales que no califican para educación especial pueden calificar para asistencia según la Sección 504 de la Ley de Rehabilitación (Rehabilitation Act) si tienen un impedimento físico o mental que limite considerablemente una o más actividades principales de la vida, si cuentan con un registro de dicho impedimento o si se consideran que tienen dicho impedimento. El distrito escolar y la oficina del condado tienen políticas y procedimientos para identificar y evaluar a los alumnos que puedan necesitar asistencia en su programa educativo o para brindar acceso a los programas del distrito. Los alumnos, padres u otras personas que tengan preocupaciones o preguntas relacionadas con la política de la Sección 504 pueden comunicarse con su escuela, distrito escolar o a la oficina del condado.

Edad mínima para entrada al jardín de niños (kindergarten):

Los distritos admitirán a alumnos al jardín de niños al principio del año escolar o en una fecha posterior en el mismo año escolar si el alumno tendrá cinco (5) años de edad en o antes del 1.º de septiembre del año escolar. Código de Educación § 48000(a).

Programa de nutrición, alimentos gratuitos o de bajo costo:

Los alimentos gratuitos o de bajo costo están disponibles para los alumnos en necesidad. Comuníquese con la escuela de su hijo(a) para mayor información sobre elegibilidad. Código de Educación §§ 48980(b); 49510 y siguientes.

Alumnas embarazadas y que crían a sus hijos:

Las alumnas embarazadas y los alumnos que crían a sus hijos, tal como se define en la sección 46015 del Código de Educación, tienen derechos y opciones a su disposición, como el derecho a pedir una licencia de paternidad y modificaciones razonables en el campus para amamantar. Código de Educación, §§ 222, 222.5, 46015, 48980(a).

Derechos educativos de los estudiantes de alta movilidad:

Los jóvenes que viven en hogares de acogida, estudiantes sin hogar, exestudiantes de escuelas de la corte de menores, hijos de familias militares, estudiantes migratorios o estudiantes nuevos gozarán de los derechos especificados en las secciones 49069.5, 48853, 51225.1 y 51225.2 del Código de Educación. Se podrá presentar una queja por falta de cumplimiento con los requisitos de dichas secciones utilizando los Procedimientos uniformes de queja de la oficina del distrito o condado.

Bienes personales:

Los distritos escolares y la oficina del condado no se hacen responsables de los bienes personales. Los alumnos son desanimados de traer a la escuela artículos que no son de uso escolar. Código de Educación § 35213.

Responsabilidad de los padres:

Los padres y tutores legales son sujetos a responsabilidad legal de todos los daños causados por la mala conducta de sus hijos(as) menores que resulten en la muerte o lesiones de otros alumnos, personal escolar, voluntarios escolares o daños a los bienes de la escuela. Código de Educación § 48904; Código Civil § 1714.1.

Plan de manejo de asbestos:

El distrito escolar tiene un plan actual para manejar materiales que contienen asbestos en cada sitio escolar, el cual se puede inspeccionar en las oficinas del distrito en el horario de trabajo normal. 40 C.F.R. § 763.93; Código de Educación, secc. 49410 y siguientes.

Uso de pesticidas:

Adjunta a la presente se encuentra una lista de pesticidas programados para aplicarse en los sitios escolares durante este año. Los destinatarios de este aviso pueden registrarse en el sitio escolar correspondiente si desean recibir un aviso de las aplicaciones individuales de estos pesticidas en un sitio escolar. Código de Educación §§ 17612, 48980.3.

Procedimiento de Quejas Uniforme:

El distrito escolar y la oficina del condado han adoptado el Procedimiento de Quejas Uniforme (UCP, por su sigla en inglés) para la presentación, investigación y resolución de quejas sujetas al proceso de UCP, incluidas las que supongan: discriminación ilegal, acoso, intimidación y acoso escolar basados en las características reales o percibidas de una persona con relación a su raza o etnia, color, antepasados, origen nacional, identificación de grupo étnico, edad, religión, estado civil, embarazo o situación como padres, discapacidad física o mental, sexo, orientación sexual, género, identidad de género, expresión de género o información genética, o cualquier otra característica de las mencionadas en el Código de Educación, secc. 200 o 220, Código de Gobierno, secc. 11135 o Código Penal, secc. 422.55, o basados en su vínculo con una persona o grupo que tengan una o más de dichas características reales o percibidas; incumplimiento de la legislación estatal y/o federal específica sobre programas educativos, incluidos los programas de educación para adultos, programas categóricos consolidados, educación para inmigrantes, educación vocacional, minutos de instrucción de educación física (grados 1 a 6), atención para infantes y programas de desarrollo, programas de nutrición infantil, programas de educación especial, periodos de cursos sin contenido educativo (grados 9 a 12); y cuestiones relacionadas con los derechos de jóvenes que viven en hogares de acogida, jóvenes sin hogar, exalumnos de escuelas de la corte de menores, hijos de

familiares militares, niños migratorios y alumnos nuevos; educación compensatoria; e instalaciones para alumnas que estén amamantando y alumnas embarazadas y con hijos; planes de seguridad escolar; incumplimiento de los requisitos del Plan Local de Control y Rendición de Cuentas; y el cobro ilícito de cuotas a los alumnos. Se adjunta a este Aviso una copia del Procedimiento de Quejas Uniforme de la oficina del distrito o del condado. 5 C.C.R., secc. 4600 y siguientes; Código de Educación, secc. 49013, 48853.5.

Procedimiento de Quejas Uniforme Williams:

El distrito escolar y la oficina del condado han adoptado políticas y procedimientos relacionados con quejas por deficiencias relacionadas con los libros de texto y materiales de enseñanza, condiciones de las instalaciones para emergencias o urgencias que representan una amenaza para la salud y seguridad de los alumnos o del personal escolar, y vacantes para maestros y asignación errónea. Para mayor información acerca de los Procedimientos de Quejas de Williams y/o para obtener un formulario de quejas o asistencia con el proceso, comuníquese al distrito escolar o a la oficina del condado. 5 C.C.R. 4680 y siguientes; Código de Educación § 35186.

Cumplimiento con el Plan local de control y rendición de cuentas:

Los distritos escolares y oficinas de educación del condado están obligados a adoptar y actualizar anualmente su Plan local de control y rendición de cuentas (Local Control and Accountability Plan, LCAP). El público tiene la oportunidad de presentar comentarios escritos sobre la acciones y gastos específicos del LCAP propuesto o su actualización anual. Código de Educación § 52062.

Protección de los alumnos con respecto a su condición migratoria y ciudadanía:

Todos los alumnos tienen derecho a una educación pública gratuita, independientemente de su condición migratoria o creencias religiosas. El sitio web del procurador general de California ofrece recursos para los alumnos inmigrantes y sus familias en: <https://oag.ca.gov/immigrant> Código de Educación § 234.7.

Cualificación profesional de los maestros:

Al principio de cada año escolar, los padres y tutores legales pueden solicitar información acerca de la capacidad profesional de los maestros del salón de su hijo o hija que incluye, como mínimo:

- Si el (la) maestro(a) ha cumplido con los criterios estatales para la acreditación y licencia para el (los) nivel(es) del grado escolar y para el (las) área(s) en las que el (la) maestro(a) imparte enseñanza.
- Si el (la) maestro(a) está enseñando con credencial de emergencia u otra condición provisional para la cual los criterios estatales de acreditación o licencia hayan sido renunciados.
- Si el (la) maestro(a) está enseñando en el área de especialidad en la que recibió certificación.
- Si el alumno recibe servicios de maestros(as) adjuntos(as), y si es así, sus calificaciones.

20 U.S.C. § 6312; 34 C.F.R. § 200.61.

Notificación modelo de derechos bajo la Enmienda para la Protección de los Derechos de los Alumnos (Protection of Pupil Rights Amendment, PPRA):

La PPRA otorga a los padres y tutores legales de alumnos de la escuela primaria, secundaria y preparatoria ciertos derechos relacionados con la realización de encuestas, recopilación y el uso de la información para fines comerciales, y ciertos exámenes físicos. Estos incluyen, entre otros, el derecho a:

- Dar su consentimiento antes de que se pida a los alumnos contestar una encuesta que trata una o más de las siguientes áreas protegidas ("encuesta de información protegida") si la encuesta es patrocinada total o parcialmente por un programa del Departamento de Educación de EE.UU. (ED, por su sigla en inglés):
 1. Afiliaciones políticas o creencias del alumno o de los padres del alumno.
 2. Problemas psicológicos o mentales del alumno o de la familia del alumno.
 3. Conducta o actitudes sexuales.
 4. Conducta ilegal, antisocial, autoincriminatoria o humillante.
 5. Evaluaciones críticas de otros con quienes los encuestados tienen relaciones familiares cercanas.
 6. Relaciones privilegiadas legalmente reconocidas, como abogados, doctores o ministros.
 7. Costumbres religiosas, afiliaciones o creencias del alumno o de sus padres; o
 8. Ingresos, aparte de lo requerido por la ley para determinar elegibilidad para algún programa.
- Recibir notificación y una oportunidad para excluir a un alumno de:
 1. Cualquier otra encuesta de información protegida, sin tener en cuenta quién la patrocine.

2. Cualquier examen físico invasivo o revisión, que no sean urgente, requeridos como una condición para asistencia, administrados por la escuela o por su representante, y no necesario para proteger la salud inmediata y seguridad del alumno, excepto revisiones del oído, vista, o de escoliosis, o cualquier examen físico o revisión permitida u obligada por ley estatal; y
 3. Actividades relacionadas con la colección, divulgación, o uso de información personal recabada de los alumnos para su comercialización o para vender o distribuir de otra forma la información a otros. (Esto no se aplica a la recolección, divulgación o uso de información personal obtenida de los alumnos con el único fin de desarrollar, evaluar o proporcionar productos o servicios educativos para y con alumnos o instituciones educativas).
- Inspeccionar, mediante solicitud y antes de la administración o uso:
 1. Encuestas de información protegida de los alumnos y encuestas creadas por terceras partes.
 2. Instrumentos usados para juntar información personal de los alumnos para cualquier uso mencionados de comercialización, ventas o distribución; y
 3. Material instructivo usado como parte del plan académico.

Estos derechos se transfieren de los padres a los alumnos mayores de 18 años o a un menor emancipado de acuerdo con la ley estatal. Las políticas del Consejo relacionadas con estos derechos se pueden obtener en el distrito escolar o en la oficina del condado.

Los padres que consideren que sus derechos han sido violados pueden presentar una queja en:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5920

20 U.S.C. § 1232h.

FORMULARIO A
RECIBO Y ACUSE DE RECIBO PARA PADRES Y TUTORES – 2025-2026

LLENE ESTE FORMULARIO Y DEVUÉLVALO
A SU ESCUELA O AL PROGRAMA DE LA OFICINA DEL CONDADO INMEDIATAMENTE

Nombre del alumno: _____

Escuela: _____ Grado: _____

Parte I - Acuse de recibo del Aviso Anual para Padres – OBLIGATORIO LLENAR ESTA PARTE

Mediante el presente, acuso recibo del Aviso Anual para Padres requerido por el Código de Educación § 48980.

Firma del padre, madre, tutor legal o del alumno si tiene 18 años o más

Fecha: _____

Parte II - Solicitud para ser eximido de la educación completa en salud sexual y prevención del VIH (grados 7 a 12) –
ES OPCIONAL LLENAR ESTA PARTE

Si desea que este alumno sea eximido de la educación completa de salud sexual y prevención del VIH, firme a continuación.

Firma del padre, madre, tutor legal, o del alumno si tiene 18 años o más

Fecha: _____

Parte III - Solicitud para negar el acceso a la información del directorio - ES OPCIONAL LLENAR ESTA PARTE

Si no desea que se comparta la información del directorio relacionada con este alumno o alumna, firme a continuación. Tome en cuenta que esto prohibirá al distrito proporcionar el nombre del alumno y otra información del directorio a noticieros, escuelas interesadas, asociación de padres y maestros, empleadores y entidades similares.

Firma del padre, madre, tutor legal, o del alumno si tiene 18 años o más
(o si está inscrito en una institución de instrucción posterior a la secundaria)

Fecha: _____

Series 5000 – Students

SP 5145.7

TITLE: Sex Discrimination and Sex-Based Harassment

Approved by: <u>Rob Gregor</u> Rob Gregor, Superintendent of Schools	Series: Students Version: 3 Effective Date: 4/1/2025 Previous Policy Date: 7/1/2021 Revised By: Committee Policy Number: SP 5145.7
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Yuba County Office of Education (YCOE) is committed to maintaining a welcoming, safe, and supportive school environment that is free from discrimination and harassment. Sex discrimination, including sex-based harassment, as defined in the accompanying exhibit, targeted at any student, based on the student's actual or perceived sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; and, parental, marital, and family status in a YCOE educational program, school, or school-sponsored or school-related activity is prohibited.

Additionally, retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy is prohibited. (Education Code 220.1; 34 CFR 106.71)

Students who feel that they are being or have experienced sex discrimination, including sex-based harassment, on school grounds or at a school-sponsored or school-related activity, or off-campus when the conduct has a continuing effect on campus, are strongly encouraged to immediately contact their teacher, the principal or program administrator, the COE's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sex discrimination, including sex-based harassment, by or against a student in a YCOE education program or activity shall report the incident to the Title IX Coordinator within one workday.

Once notified of a complaint or allegation of sexual harassment, the Title IX Coordinator shall ensure that it is addressed through YCOE's Title IX complaint procedures.

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if YCOE has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances.

All YCOE staff shall be trained regarding YCOE's sex discrimination and sex-based harassment

policy, and that all employees receive training related to their duties under Title IX as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment. (34 CFR 106.8)

Instruction/Information

All YCOE students shall receive age-appropriate information on sex discrimination and sex-based harassment. Such instruction and information shall include:

1. What acts and behavior constitute sex discrimination and sex-based harassment, including the fact that sex discrimination and sex-based 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 sex discrimination or sex-based harassment under any circumstance
3. Encouragement to report observed incidents of sex discrimination and sex-based harassment even when the alleged victim of the discrimination or harassment has not complained
4. A clear message that student safety is YCOE's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sex discrimination or sex-based harassment incident will be addressed separately and will not affect the manner in which the sex discrimination or sex-based 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 sex discrimination and sex-based harassment allegation that involves a student, whether as the complainant, respondent, or victim of the discrimination or 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 YCOE's procedures for investigating complaints and the person(s) to whom a report of sex discrimination and/or sex-based 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 COE investigation of a sex discrimination or sex-based harassment complaint continues
8. A clear message that, when needed, YCOE will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sex discrimination or sex-based harassment and/or other students during an investigation

Disciplinary Actions

Upon completion of an investigation of sex discrimination and/or sex-based harassment, any student found to have engaged in sex discrimination, and/or sex-based 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 pursuant to Education Code 48900.2, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

Records shall be maintained in accordance with law, including in accordance with 34 CFR 106.8 as specified in Exhibit 1 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, and YCOE policies and regulations, of all reported cases of sex-based harassment to enable the COE to monitor, address, and prevent repetitive harassing behavior in COE schools.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
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 200-270	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900	Grounds for suspension or expulsion; definition of bullying
Ed. Code 48900	Grounds for suspension and 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 49060-49079	Student records
Gov. Code 12950.1	Sexual harassment training
Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.71	Nondiscrimination on the basis of sex in education programs
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
California Department of Education Publication	California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
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
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474- 33896
U.S. DOE, Office for Civil Rights	Sexual Harassment: It's Not Academic, September 2008

Publication	
U.S. DOE, Office for Civil Rights	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
Publication	
U.S. DOE, Office for Civil Rights	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Publication	
Website	U.S. Department of Education, Office for Civil Rights
Website	CSBA
Website	California Department of Education
Cross References	
Code	Description
0410	Nondiscrimination In County Office Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.3-E(3)	Uniform Complaint Procedures
5131.2	Bullying
5131.2	Bullying
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.71-E(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71-E(2)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology

Series 5000 – Students

E 5145.7

TITLE: Sex Discrimination and Sex-Based Harassment

Approved by: Rob Gregor
Rob Gregor, Superintendent of Schools

Series: **Students**
Version: **2**
Effective Date: **4/1/2025**
Previous Policy
Date: **7/1/2021**
Revised By: **Committee**
Policy Number: **E 5145.7**

Yuba County Office of Education (YCOE) does not discriminate on the basis of sex in any of its programs or activities and complies with Title IX of the Education Amendments of 1972 and its implementing regulations. Sex discrimination, including sex-based harassment, is prohibited in COE education programs and activities.

Definitions

Sex discrimination includes treating a student differently with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services based on the student's sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; or the student's association with a person or group with one or more of these actual or perceived characteristics.

Sex discrimination, including sex-based harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct and 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.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, sex stereotypes, sex characteristics, or other bases specified above. Conduct will constitute sex-based harassment when it takes the form of: (34 CFR 106.2, 106.11)

1. Quid pro quo harassment: A COE employee, agent, or other individual authorized by the COE to provide aid, benefit, or service in the COE's education program or activity conditioning the provision of COE aid, benefit, or service on a

student's participation in unwelcome sexual conduct

2. Hostile environment harassment: Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the COE's education 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 sex-based harassment in violation of COE policy if it has a continuing effect on a student's ability to participate in or benefit from COE educational programs or activities.

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 34 CFR 106.2

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)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. 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
4. 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 county office of education (COE) program or activity

Examples of Sex Discrimination and Sex-Based Harassment

Examples of types of conduct which are prohibited, and which may constitute sex-based 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 sex-based 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. Sex-based jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sex-based 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 County Superintendent of Schools designates the following individual(s) as the responsible employee(s) to coordinate the COE's efforts to comply with Title IX. The individual(s) shall also serve as the Compliance Officer(s) to oversee, investigate, and/or resolve sex discrimination, including sex-based harassment, complaints under the COE's uniform complaint procedures (UCP). The Title IX Coordinator(s) may be contacted at:

Mary Hang, Executive Director of Human Resources
935 14th Street, Marysville, CA 95901
530-749-4870
mary.hang@yubacoe.k12.ca.us

Notifications

To prevent unlawful sex discrimination and sex-based harassment in COE programs and activities, the Superintendent or designee shall provide notifications and implement measures to prevent discrimination and harassment as specified in Administrative Regulation 5145.3 - Nondiscrimination/Harassment.

In addition to the measures to prevent discrimination specified in Administrative Regulation 5145.3 - Nondiscrimination/Harassment, a copy of the COE's sex discrimination and sex-based harassment policy and regulation shall:

1. Be displayed in a prominent location in the main administrative building or other area where notices of COE rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
2. Be summarized on a poster which is 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 sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)

3. Be provided as part of any orientation program conducted for new and continuing students at the time the student is enrolled or at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any publication that sets forth the program/school's or COE's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

Reports and Complaints

A student or a student's parent(s)/guardian(s) who believes that the student has been subjected to sex discrimination, including sex-based harassment, in a COE program or activity or who has witnessed sex discrimination, including sex-based harassment, is strongly encouraged to report the incident to the COE's Title IX Coordinator, a teacher, the principal or program administrator, or any other available school employee. Within one workday of receiving such a report, the principal/program administrator or other school employee shall forward the report to the COE's Title IX Coordinator. Any school employee who observes sex discrimination or sex-based harassment shall, within one workday, report the observation to the Title IX Coordinator as specified in the accompanying board policy. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.

If the Title IX Coordinator determines a complaint of sex discrimination or sex-based harassment involves off-campus conduct and the conduct may create or contribute to the creation of a hostile school environment, the complaint shall be investigated and

resolved in the same manner as if the prohibited conduct occurred at school.

Complaint Procedures

All complaints and allegations of sex discrimination and sex-based harassment shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and Exhibit (1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

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, regardless of whether 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 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 COE prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, sex stereotypes, sex characteristics, sexual orientation, 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 that are prohibited in the COE and which may constitute sex-based hostile environment 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. Assaulting a student because of the student's gender, sex characteristic, sexual orientation, gender identity, or gender expression

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 County Board policy, the COE 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 COE 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 COE 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 COE has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. (Education Code 220.3, 220.5; 34 CFR 99.31, 99.36)

The COE shall only allow disclosure of a student's personally identifiable information to employees in accordance with law. Any COE 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 COE 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 exhibit, and shall inform the student that honoring the student's request may limit the COE'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 COE shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and request 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 COE 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 COE 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 COE 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 COE 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.

Beginning July 1, 2026, each school shall provide and maintain at least one all-gender restroom for student use that meets the requirements of Education Code 35292.5.

5. Student Records: Upon each student's enrollment, the COE 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, COE 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 COE record

However, inadvertent slips or honest mistakes by COE personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this Exhibit or the accompanying County Board 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

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
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 200-270	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900	Grounds for suspension or expulsion; definition of bullying
Ed. Code 48900	Grounds for suspension and 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 49060-49079	Student records

Gov. Code 12950.1	Sexual harassment training
Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.71	Nondiscrimination on the basis of sex in education programs
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
California Department of Education Publication	California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
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
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896

U.S. DOE, Office for Civil Rights
Publication
U.S. DOE, Office for Civil Rights
Publication

U.S. DOE, Office for Civil Rights
Publication
Website
Website
Website

Cross References**Code**

0410

1312.3
1312.3-E(1)
1312.3-E(2)
1312.3-E(3)

5131.2

5131.2

5141.52

5141.52

5145.3

5145.3

5145.71-E(1)

5145.71-E(2)

6163.4

6163.4-E(1)

[Sexual Harassment: It's Not Academic, September 2008](#)

[Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001](#)

[Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016](#)

[U.S. Department of Education, Office for Civil Rights CSBA](#)

[California Department of Education](#)

Description

[Nondiscrimination In County Office Programs And Activities](#)

[Uniform Complaint Procedures](#)

[Uniform Complaint Procedures](#)

[Uniform Complaint Procedures](#)

[Uniform Complaint Procedures](#)

[Bullying](#)

[Bullying](#)

[Suicide Prevention](#)

[Suicide Prevention](#)

[Nondiscrimination/Harassment](#)

[Nondiscrimination/Harassment](#)

[Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures](#)

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Series 5000 – Students

E 5145.71

TITLE: Title IX Sexual Harassment Complaint Procedures

Approved by: <u>Rob Gregor</u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Students Version: 2 Effective Date: 4/1/2025 Previous Policy Date: 7/1/2025 Revised By: Committee Policy Number: E 5145.71
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The complaint procedures described in this exhibit shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a county office of education (COE) student, while in an education program or activity, was subjected to conduct on or after August 1, 2024, including, but not limited to, conduct that is under the authority of the COE, that constitutes sex discrimination, including sex-based harassment. For conduct that occurred prior to this date, the COE should utilize its policies in place at the time the alleged sex discrimination, including sex-based harassment, occurred, so long as they are in accordance with the applicable statutes and regulations.

Sex discrimination and sex-based harassment include, but are not limited to, sex-based conduct as specified in Exhibit (1) 5145.7 - Sex Discrimination and Sex-Based Harassment.

Basic Requirements

When implementing Title IX grievance procedures, the COE shall: (34 CFR 106.45)

1. Treat complainants and respondents equitably
2. Ensure that the Title IX Coordinator or designee, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent

The investigator and the decisionmaker may be the same person as the Title IX Coordinator or designee.

3. Presume that the respondent is not responsible for the alleged sex discrimination, including sex-based harassment, until a determination is made at the conclusion of the grievance procedures
4. Establish reasonably prompt timeframes for the major stages of the grievance procedures, such as evaluation of whether to dismiss or investigate a complaint, investigation, decision, and appeals if any

5. Establish a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay

Additionally, the COE shall not disclose personally identifiable information obtained while implementing Title IX complaint procedures unless the COE has obtained prior written consent from a person with the legal right to consent to the disclosure; the information is disclosed to a parent/guardian or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue; to take action to address conduct that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, in the COE's education program or activity; as required by federal law, regulations, or as a condition to a federal award; as required by state or local law; or to the extent such disclosures are not otherwise in conflict with Title IX. (34 CFR 106.44)

If either party is a student with a disability, the Title IX Coordinator or designee shall consult with one or more members, as appropriate, of the student's individualized education program or 504 team, to determine how to comply with the requirements of the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

Filing a Complaint

Upon receiving information from an allegation of sex discrimination, include sex-based harassment, the Title IX Coordinator or designee shall notify the individual(s) specified in law of the Title IX grievance procedures, and of the informal resolution process, if available and appropriate.

A complaint, is an oral or written request that can objectively be understood by the Title IX Coordinator or designee as a request for the COE to investigate and make a determination about alleged sex discrimination, including sex-based harassment. (34 CFR 106.21)

Complaints of sex discrimination and sex-based harassment may only be brought by a student, or former student, who was participating or attempting to participate in the COE's education program or activity at the time of the alleged sex-based harassment, a parent/guardian or other authorized legal representative with the legal right to act on behalf of the student, or the Title IX Coordinator or designee. (34 CFR 106.45)

If the alleged victim chooses not to bring a complaint or withdraws any or all of the allegations in a complaint, and in the absence or termination of an information resolution process, the Title IX Coordinator or designee shall consider whether to initiate a complaint. To do so, the Title IX Coordinator or designee shall first consider the following factors: (34 CFR 106.44)

1. The victim's request not to proceed with initiation of a complaint
2. The victim's reasonable safety concerns regarding initiation of a complaint
3. The risk that additional acts of sex discrimination, including sex-based harassment, would occur if a complaint is not initiated

4. The severity of the alleged sex discrimination or sex-based harassment, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence
5. The age and relationship of the parties, including whether the respondent is an employee of the COE
6. The scope of the alleged sex discrimination, including information suggesting a pattern; ongoing sex discrimination, including sex-based harassment; or sex discrimination, including sex-based harassment, alleged to have impacted multiple individuals
7. The availability of evidence to assist a decisionmaker in determining whether sex discrimination, including sex-based harassment, occurred
8. Whether the COE could end the alleged sex discrimination, including sex-based harassment, and prevent its recurrence without initiating the Title IX grievance procedures

If, after considering these factors, the Title IX Coordinator determines that the alleged conduct presents an imminent and serious threat to the health and safety of the complainant or another person, or that the conduct as alleged prevents the COE from ensuring equal access to a COE program or activity on the basis of sex, the Title IX Coordinator may initiate a complaint.

If the Title IX Coordinator initiates a complaint, the Title IX Coordinator shall provide the alleged victim notice of the complaint, as well as other notices as required by the Title IX regulations at specific points in the complaint process. The Title IX Coordinator shall also address reasonable concerns about the victim's safety or the safety of others, including providing supportive measures as described in "Supportive Measures" below, and taking other appropriate prompt and effective steps to ensure that sex discrimination, including sex-based harassment, does not continue or recur within the COE. (34 CFR 106.44)

The Title IX Coordinator or designee, investigator, decisionmaker, other person who is responsible for implementing the COE's grievance procedures or have the authority to modify or terminate supportive measures, 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 106.8. (34 CFR 106.44)

The Title IX Coordinator shall monitor the COE for barriers to reporting information about conduct that reasonably may constitute sex discrimination, including sex-based harassment, under Title IX, and take steps reasonably calculated to address such barriers. (34 CFR 106.44, 106.45)

Supportive Measures

Upon receipt of a report of Title IX sex discrimination or sex-based harassment, the Title IX Coordinator or designee shall offer and coordinate supportive measures. Supportive measures may vary depending on what the COE determines to be reasonably available and shall not unreasonably burden either the complainant or respondent. Supportive measures shall be provided without charging a fee to the complainant or respondent and be designed to protect the safety of the complainant, respondent, and the COE's educational environment, and to provide support during any grievance procedures implemented as specified in 34 CFR 106.45 or informal resolution process as specified in 34 CFR 106.44. The COE shall not impose such measures for punitive or disciplinary reasons. Supportive measures may include, but are not limited to, counseling; extensions of deadlines and other course-related adjustments; changes in class, work, housing, or extracurricular or any other activity regardless of whether there is a comparable alternative; campus escort services; modifications of class schedules; mutual restrictions on contact; changes in class locations; increased security; monitoring of certain areas of the campus; and, training and education programs related to sex-based harassment. (34 CFR 106.21, 106.44)

Unless there is an allegation of sex-based harassment or retaliation, the COE may provide supportive measures without altering the alleged discriminatory conduct. (34 CFR 106.44)

Upon the conclusion of any grievance procedures implemented as specified in 34 CFR 106.45 or informal resolution process as specified in 34 CFR 106.44, the COE may continue with the supportive measures, or modify or terminate such measures, as appropriate. (34 CFR 106.44)

The COE shall provide a complainant or respondent for whom supportive measures have been implemented with a timely opportunity to seek, from an impartial employee with authority to modify or reverse the supportive measures, modification or reversal of the COE's decision to provide, deny, modify, or terminate such measures, and to seek additional modification or termination of the supportive measures if circumstances materially change. (34 CFR 106.44)

The COE shall not disclose information about supportive measures to any person other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless the disclosure is necessary to providing the supportive measures, or restoring or preserving a party's access to the COE's education program or activity. (34 CFR 106.44)

Emergency Removal from School

A student shall not be disciplined for alleged sex discrimination, including sex-based harassment, under Title IX until the investigation has been completed. However, on an emergency basis, the COE may remove a student from an education program or activity, provided that the COE conducts an individualized safety and risk analysis, determines that removal is justified due to an imminent and serious threat to the health or safety of a complainant or any student, employee, or other individual arising from the allegations, and provides the respondent 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 IDEA or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a COE 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 or designee may dismiss a complaint if: (34 CFR 106.45)

1. The COE is unable to identify the respondent after taking reasonable steps to do so
2. The respondent is not participating in the COE's education program or activity and is not employed by the COE
3. The COE determines that the conduct alleged in the complaint, even if proven, would not constitute sex discrimination, including sex-based harassment, under Title IX

Before dismissing the complaint, the Title IX Coordinator shall make reasonable efforts to clarify the allegations with the complainant.

4. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the Title IX Coordinator determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination, including sex-based harassment, under Title IX, even if proven

The Title IX Coordinator shall determine whether to dismiss or investigate any complaint of sex discrimination, including sex-based harassment, within 7 days, unless such timeline is extended in accordance with this administrative regulation.

Upon dismissal, the Title IX Coordinator shall promptly notify the complainant of the dismissal and the reasons for the dismissal. Additionally, if the dismissal occurs after the respondent has been notified of the allegations, the Title IX Coordinator shall provide such notification to the respondent, which shall occur simultaneously to both parties if the notification is in writing. The Title IX Coordinator shall also inform the complainant, and the respondent if the dismissal occurs after the respondent has been notified of the allegations, of their right to appeal.

Dismissals may be appealed on the following bases: (34 CFR 106.45)

1. A procedural irregularity that would change the outcome
2. New evidence that would change the outcome and that was not reasonably available when dismissal was made
3. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome

If the dismissal is appealed, the COE shall: (34 CFR 106.45)

1. Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent
2. Implement appeal procedures equally for the parties
3. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint
4. Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations
5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome
6. Notify the parties of the result of the appeal and the rationale for the result

If a complaint is dismissed, the Title IX Coordinator or designee shall offer supportive measures as described above in "Supportive Measures" to the complainant. Additionally, the respondent shall be offered supportive measures if the complaint was dismissed because the complainant voluntarily withdrew any or all of the allegations in the complaint and the COE determined that without the withdrawn allegations the conduct, even if proven, would not constitute sex discrimination, including sex-based harassment, under Title IX, or if the complaint was dismissed because the COE determined, after taking reasonable efforts to clarify the allegations of the complaint, that the alleged conduct would not constitute sex discrimination, including sex-based harassment, even if proven. The Title IX Coordinator shall also take other appropriate prompt and effective steps to ensure that sex discrimination, including sex-based harassment, does not continue or recur within the COE's education program or activity. (34 CFR 106.45)

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

Informal Resolution Process

At any time prior to determining whether sex discrimination, including sex-based harassment, occurred under the complaint procedures specified in 34 CFR 106.45, the COE may offer, if it is determined to be appropriate upon receiving information about conduct that reasonably may constitute sex discrimination under Title IX or when a complaint of sex discrimination is made, an informal resolution process, such as mediation, to the complainant and respondent. However, the COE shall not offer an informal resolution process if the complaint alleges that an employee engaged in sex-based harassment of an elementary or secondary school student or that such process would conflict with federal, state, or local law. (34 CFR 106.44)

The COE shall not require or pressure a party to participate in the informal resolution process or to waive the right to an investigation and determination of a complaint as a condition of

participation in the COE's education program or activity, or exercise of any other right. The COE may decline to offer an informal resolution process including, but not limited to, when the COE determines that the alleged conduct would present a future risk of harm to others. (34 CFR 106.45)

The COE may facilitate an informal resolution process provided that the COE, prior to initiating such process: (34 CFR 106.44)

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; the inability to initiate or resume complaint procedures arising from the same allegations once the informal resolution process is concluded; the potential terms that may be requested or offered in an informal resolution agreement, including that the agreement would only be binding on the parties; and the information that the COE will maintain and whether and how the COE could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed
2. Obtains the parties' voluntary 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

The Title IX Coordinator or designee shall ensure that the facilitator of the informal resolution process is not the same person as the investigator or decisionmaker of any ongoing or newly initiated complaint process specified in 34 CFR 106.45, does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and receives training in accordance with 34 CFR 106.8. (34 CFR 106.44)

If the COE facilitates an informal resolution process, the Title IX Coordinator shall, to the extent necessary, take other appropriate prompt and effective steps to ensure that sex discrimination, including sex-based harassment, does not continue or recur within the COE's education program or activity. (34 CFR 106.45)

Notice of Allegations

If the COE initiates a formal Title IX investigation, the Title IX Coordinator or designee shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The COE's complaint process, including any informal resolution process
2. Sufficient information available at the time, to allow parties to respond to the allegations, including, to the extent available, the identity of parties involved in the incident(s), the conduct allegedly constituting sex discrimination, including sex-based harassment, and the date(s) and location(s) of the alleged incident

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 retaliation is prohibited
4. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of such evidence, as specified

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

Consolidation of Complaints

The COE may consolidate complaints of sex discrimination, including sex-based harassment, against more than one respondent; by more than one complainant against one or more respondents; or by one party against another party, when the allegations of sex discrimination, including sex-based harassment, arise out of the same facts or circumstances. (34 CFR 106.45)

Investigation Procedures

The COE shall provide for adequate, reliable, and impartial investigation of complaints. (34 CFR 106.45)

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

1. Provide an equal opportunity for the parties to present fact witnesses, and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible
2. Review all evidence gathered through the investigation and determine which evidence is relevant and which evidence is impermissible regardless of relevance
3. Provide each party with an equal opportunity to access evidence that is relevant, and not otherwise impermissible, to the allegations of sex discrimination, including sex-based harassment, by:
 - a. Providing an equal opportunity to access either the relevant and not otherwise impermissible evidence or an accurate description of such evidence

If an accurate description is provided, the COE shall, upon request of any party, provide the parties with an equal opportunity to access the relevant and permissible evidence.

- b. Providing a reasonable opportunity to respond to the evidence or to the accurate description of the evidence
 - c. Taking reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures
- 4. Take reasonable steps to protect the privacy of parties and witnesses which do not restrict the ability of the parties to obtain and present evidence, including, by speaking to witnesses; consulting with family members, confidential resources, or advisors; or otherwise preparing for or participating in the grievance procedures
- 5. Objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence, including that credibility determinations will not be based on a person's status as complainant, respondent, or witness
- 6. Exclude as impermissible the following types of evidence, and questions seeking that evidence:
 - a. Evidence that is protected under a privilege recognized by state or federal law or evidence that is provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege
 - b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the COE obtains that party's or witness's voluntary, written consent for use in its grievance procedures
 - c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment

The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

The COE shall ensure that the decisionmaker is able to question parties and witnesses adequately to assess a party's or witness's credibility to the extent credibility is both in dispute and relevant

to evaluating one or more allegations of sex-based harassment. (34 CFR 106.45)

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.

The investigator shall complete the investigation as soon as possible after the Title IX Coordinator determines to proceed with an investigation, unless such timeline is extended in accordance with this administrative regulation.

Written Decision

A COE employee shall be designated as the decisionmaker to determine responsibility for the alleged conduct. This employee may also serve as the Title IX Coordinator or designee or the investigator so long as there is no conflict of interest or bias. (34 CFR 106.45)

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the COE shall: (34 CFR 106.45)

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination, including sex-based harassment, has occurred
2. Notify the parties in writing of the determination of whether sex discrimination, including sex-based harassment, occurred

The notification shall include the rationale for such determination and the procedures and permissible bases for the complainant and respondent to appeal, if applicable.

The written decision shall be issued within 7 days after the investigation is completed, unless such time is extended in accordance with this administrative regulation.

Appeal of the Decision

Either party may appeal the COE's decision of a complaint or any allegation in the complaint. (34 CFR 106.45)

When conducting an appeal, the COE shall permit a final appeal to the County Board of Education or County Superintendent of Schools using a process that is in accordance with law and otherwise consistent with the appeal process as specified in Exhibit 1312.3 - Uniform Complaint Procedures. 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.

Extension of Timelines

Any timelines specified in this administrative regulation may be extended by the COE for good cause, with written notice to the parties. The written notice shall specify the reasons for the extension. (34 CFR 106.45)

Remedies

When there is a determination that sex discrimination, including sex-based harassment, has occurred, the Title IX Coordinator shall coordinate the provision and implementation of remedies to the complainant and other persons the COE identifies as having had equal access to the COE's education program or activity limited or denied by sex discrimination, including sex-based harassment; coordinate the imposition of any disciplinary sanctions on a respondent described in "Corrective/Disciplinary Actions" below, including notification to the complainant of any such disciplinary actions; and take other appropriate prompt and effective steps to ensure that sex discrimination, including sex-based harassment, does not continue or recur within the COE's education program or activity. (34 CFR 106.45)

Corrective/Disciplinary Actions

The COE 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, 106.45)

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 student shall be immediately suspended and recommended for expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sex discrimination and/or sex-based 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

An employee found to have committed sex discrimination, including sex-based harassment, or retaliation shall be subject to disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The COE shall not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the COE's determination of whether sex discrimination, including sex-based harassment, occurred. (34 CFR 106.45)

Record-Keeping

The COE shall maintain, for at least a period of seven years: (34 CFR 106.45)

1. For each complaint of sex discrimination, including sex-based harassment, records documenting any informal resolution process or formal investigation procedures
2. For each notification the Title IX Coordinator or designee receives of information about conduct that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, records documenting the actions taken to fulfill the COE's obligations as specified in 34 CFR 106.44, including supportive measures offered and implemented
3. All materials used to train COE employees; the Title IX Coordinator and designee(s); investigator(s), decisionmaker(s), other person(s) who are responsible for implementing the COE's grievance procedures or have the authority to modify or terminate supportive measures; and any person who facilitates an informal resolution process

The COE shall make such training materials available upon request by members of the public.

For complaints containing allegations of childhood sexual assault, the County Superintendent or designee shall also indefinitely maintain the following: (Code of Civil Procedure 340.1):

1. A record of the allegation(s)
2. A record of the investigation procedures followed
3. A record of the written determination
4. A record of the corrective action implemented, if any
5. A record of any appeals and the outcome of the same
6. All training materials addressing the prohibition and investigation of childhood sexual assault

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
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 200-270	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 48900	Grounds for suspension and/or expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment
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 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
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	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District (2003) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure

CSBA Publication	Student Success, 2011 Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2014, Vol. 89, No. 83, pages 33474-33896
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
U.S. DOJ, FBI Publication	National Incident-Based Reporting System
Website	U.S. Department of Justice, Federal Bureau of Investigation
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office for Civil Rights
Website	CSBA
Website	California Department of Education
Cross References	
Code	Description
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1312.3-E(3)	Uniform Complaint Procedures
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4117.7	Employment Status Reports
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4317.7	Employment Status Reports
4319.11	Sexual Harassment
4319.11	Sexual Harassment
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline

5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7-E(1)	<u>Sex Discrimination and Sex-Based Harassment</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>

JULY 2025					AUGUST					13	SEPTEMBER					21	OCTOBER					23	
M	T	W	Th	F	M	T	W	Th	F		M	T	W	Th	F	M	T	W	Th	F			
	1	2	3	4					1		1	2	3	4	5			1	2	3			
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28	29	30	31		25	26	27	28	29		29	30				27	28	29	30	31			
NOVEMBER					13	DECEMBER					15	JANUARY 2026					19	FEBRUARY					15
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3	4	5	6	7	1	2	3	4	5					1	2	2	3	*4*	5	6			
10	11	12	13	14	8	9	*10*	11	12		5	6	7	8	9	9	10	11	12	13			
17	18	*19*	20	21	15	16	17	18	*19*		12	13	*14*	15	16	16	17	18	19	20			
24	25	26	27	28	22	23	24	25	26		19	20	21	22	23	23	24	*25*	26	27			
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MARCH					22	APRIL					16	MAY					20	JUNE 2026					3
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2	3	4	5	6			1	2	3						1	1	2	3	4	5			
9	10	*11*	12	13	6	7	8	9	10		4	5	*6*	7	8	8	9	10	11	12			
16	17	*18*	19	20	13	14	*15*	16	17		11	12	13	14	15	15	16	17	18	19			
23	24	25	26	27	20	21	22	23	24		18	19	*20*	21	22	22	23	24	25	26			
30	31				27	28	29	30			25	26	27	28	29	29	30	1	2	3			

HOLIDAYS/SCHOOL NOT IN SESSION	
September 1	Labor Day
November 10	School Not in Session
November 11	Veterans Day
November 24 – 28	Thanksgiving Recess
December 22 – January 2	Winter Recess
January 19	Martin Luther King Day
February 16 – 20	February Recess
April 3 – 10	Spring Recess
May 25	Memorial Day
June 19	Juneteenth

KEY DATES	
Staff Contract Days (Students Not in Attendance)	() August 11, August 12
First & Last Day of School	☐ August 13, June 3
Minimum Days	* * Sept. 10, 17, 24 Oct. 8, 22 Nov. 19 Dec. 10, 19 Jan. 14, 28 Feb. 4, 25 March 11, 18 April 15 May 6, 20 June 3
Extended Year Session	June 4 - teacher workday (ESY) June 8 - July 3

JULY 2025					AUGUST					13	SEPTEMBER					21	OCTOBER					23	
M	T	W	Th	F	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		
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14	15	16	17	18	(11)	(12)	*13*	14	15		15	16	*17*	18	19		13	14	*15*	16	17		
21	22	23	24	25	18	19	*20*	21	22		22	23	*24*	25	26		20	21	*22*	23	24		
28	29	30	31		25	26	*27*	28	29		29	30					27	28	*29*	30	31		
NOVEMBER					13	DECEMBER					15	JANUARY 2026					19	FEBRUARY					15
M	T	W	Th	F	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		
3	4	*5*	6	7	1	2	*3*	4	5					1	2		2	3	*4*	5	6		
10	11	*12*	13	14	8	9	*10*	11	12		5	6	*7*	8	9		9	10	*11*	12	13		
17	18	*19*	20	21	15	16	*17*	18	19		12	13	*14*	15	16		16	17	18	19	20		
24	25	26	27	28	22	23	24	25	26		19	20	*21*	22	23		23	24	*25*	26	27		
					29	30	31				26	27	*28*	29	30								
MARCH					22	APRIL					16	MAY					20	JUNE 2026					3
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2	3	*4*	5	6			*1*	2	3						1		1	2	*3*	4	5		
9	10	*11*	12	13	6	7	8	9	10		4	5	*6*	7	8		8	9	10	11	12		
16	17	*18*	19	20	13	14	*15*	16	17		11	12	*13*	14	15		15	16	17	18	19		
23	24	*25*	26	27	20	21	*22*	23	24		18	19	*20*	21	22		22	23	24	25	26		
30	31				27	28	*29*	30			25	26	*27*	28	29		29	30					

HOLIDAYS/SCHOOL NOT IN SESSION

September 1	Labor Day
November 10	School Not in Session
November 11	Veterans Day
November 24 - 28	Thanksgiving Recess
December 22 - January 2	Winter Recess
January 19	Martin Luther King Day
February 16 - 20	February Recess
April 3 - 10	Spring Recess
May 25	Memorial Day
June 19	Juneteenth

KEY DATES

Staff Contract Days (Students Not in Attendance)	() August 11, August 12
First & Last Day of School	☐ August 13, June 3
Minimum Days	* * Aug. 13,20,27 Oct. 1,8,15,22,29 Dec. 3,10,17 Feb. 4,11,25 April 1,15,22,29 June 3 Sept. 3,10,17,24 Nov. 5,12,19 Jan. 7,14,21,28 Mar. 4,11,18,25 May 6,13,20,27

JULY 2025					22	AUGUST					19	SEPTEMBER					21	OCTOBER					23
M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F	
	1	*2*	3	4						1		1	2	*3*	4	5				*1*	2	3	
7	8	*9*	10	11		4	5	*6*	7	8		8	9	*10*	11	12		6	7	*8*	9	10	
14	15	*16*	17	18		(11)	(12)	*13*	14	15		15	16	*17*	18	19		13	14	*15*	16	17	
21	22	*23*	24	25		18	19	*20*	21	22		22	23	*24*	25	26		20	21	*22*	23	24	
28	29	*30*	31			25	26	*27*	28	29		29	30					27	28	*29*	30	31	
NOVEMBER					13	DECEMBER					15	JANUARY 2026					19	FEBRUARY					19
M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F	
3	4	*5*	6	7		1	2	*3*	4	5					1	2		2	3	*4*	5	6	
10	11	*12*	13	14		8	9	*10*	11	12		5	6	*7*	8	9		9	10	*11*	12	13	
17	18	*19*	20	21		15	16	*17*	18	19		12	13	*14*	15	16		16	17	*18*	19	20	
24	25	26	27	28		22	23	24	25	26		19	20	*21*	22	23		23	24	*25*	26	27	
						29	30	31				26	27	*28*	29	30							
MARCH					22	APRIL					16	MAY					20	JUNE 2026					18
M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F	
2	3	*4*	5	6				*1*	2	3						1		1	2	*3*	4	5	
9	10	*11*	12	13		6	7	8	9	10		4	5	*6*	7	8		8	9	*10*	11	12	
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23	24	*25*	26	27		20	21	*22*	23	24		18	19	*20*	21	22		22	23	*24*	25	26	
30	31					27	28	*29*	30			25	26	*27*	28	29		29	30				

HOLIDAYS/SCHOOL NOT IN SESSION

July 4	Independence Day
September 1	Labor Day
November 10	School Not in Session
November 11	Veterans Day
November 24 - 28	Thanksgiving Recess
December 22 - January 2	Winter Recess
January 19	Martin Luther King Day
February 16	Presidents' Day
April 3 - 10	Spring Recess
May 25	Memorial Day
June 19	Juneteenth

KEY DATES

Staff Contract Days (Students Not in Attendance)	() August 11, August 12
First & Last Day of School	☐ August 13, June 3
Minimum Days	* * July 2,9,16,23,30 Aug. 6,13,20,27 Sept. 3,10,17,24 Oct. 1,8,15,22,29 Nov. 5,12,19 Dec. 3,10,17 Jan. 7,14,21,28 Feb. 4,11,18,25 Mar. 4,11,18,25 April 1,15,22,29 May 6,13,20,27 June 3,10,17,24
Extended Year Session	July 1-August 8, 2025 February 17-20, 2026 June 8-30, 2026



2025-2026 SCHOOL CALENDAR

Yuba County Career Preparatory Charter School
175 Student Attendance Days 182 Instructional Staff Workdays

JULY 2025					AUGUST					13	SEPTEMBER					21	OCTOBER					18	
M	T	W	Th	F	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		
	1	2	3	4					1		1	2	3	4	5				1	2	3		
7	8	9	10	11	4	5	(6)	(7)	(8)		8	9	10	11	12		6	7	8	9	10		
14	15	16	17	18	(11)	(12)	13	14	15		15	16	17	18	19		13	14	15	16	17		
21	22	23	24	25	18	19	20	21	22		22	23	24	25	26		20	21	22	23	24		
28	29	30	31		25	26	27	28	29		29	30					27	28	29	30	31		
NOVEMBER					13	DECEMBER					15	JANUARY 2026					19	FEBRUARY					15
M	T	W	Th	F	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		
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17	18	19	20	21	15	16	17	18	19		12	13	14	15	16		16	17	18	19	20		
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					29	30	31				26	27	28	29	30								
MARCH					22	APRIL					16	MAY					20	JUNE 2026					3
M	T	W	Th	F	M	T	W	Th	F		M	T	W	Th	F		M	T	W	Th	F		
2	3	4	5	6			1	2	3						1		1	2	3	(4)	(5)		
9	10	11	12	13	6	7	8	9	10		4	5	6	7	8		8	9	10	11	12		
16	17	18	19	20	13	14	15	16	17		11	12	13	14	15		15	16	17	18	19		
23	24	25	26	27	20	21	22	23	24		18	19	20	21	22		22	23	24	25	26		
30	31				27	28	29	30			25	26	27	28	29		29	30	1	2	3		

HOLIDAYS/SCHOOL NOT IN SESSION	
July 4	Independence Day
September 1	Labor Day
October 6-10	October Recess
November 10 & 11	Non-school day & Veterans Day
November 24 - 28	Thanksgiving Recess
December 22 - January 2	Winter Recess
January 19	Martin Luther King Day
February 16 – 20	February Recess/President's Day
April 3 - 10	Spring Recess
May 25	Memorial Day
July 19	Juneteenth

KEY DATES	
Staff Contract Days (Students Not in Attendance)	() Staff Work Day: August 6, 7, 8, 11, 12, June 4,5
First & Last Day of School	☐ August 13, June 3

Draft Feb 6, 2025

School District Integrated Pest Management Plan

When completed, this template meets the Healthy Schools Act requirement for an integrated pest management (IPM) plan.
An IPM plan is required if a school district uses pesticides¹

Contacts

YCOE

School District Name	935 14th Street, Marysville, CA 95901	Address
Barry Collins	530-701-2430	barry.collins@yubacoe.k12.ca.us
District IPM Coordinator	IPM Coordinator's Phone Number	Email Address

IPM statement

It is the goal of YCOE to implement IPM by focusing on long-term prevention or suppression of pests through accurate pest identification, by frequent monitoring for pest presence, by applying appropriate action levels, and by making the habitat less conducive to pests using sanitation and mechanical and physical controls. Pesticides that are effective will be used in a manner that minimizes risks to people, property, and the environment, and only after other options have been shown ineffective.

Our pest management objectives are to: *(Example: Focus on long-term pest prevention)*

We are Committed to Long-Term Preventative Measures with a goal of reducing or eliminating the need for pesticide applications and the use of Non-Toxic options wherever practical

IPM team

In addition to the IPM Coordinator, other individuals who are involved in purchasing, making IPM decisions, applying pesticides, and complying with the Healthy Schools Act requirements, include:

Name and/or Title	Role in IPM program
Barry Collins	Coordinator-Maint & Ops Supervisor
George Sadler	Assistant Maint & Ops

Pest management contracting

- ☒ Pest management services are contracted to a licensed pest control business.
Pest Control Business name(s): Clark Pest Control
- ☒ Prior to entering into a contract, the school district has confirmed that the pest control business understands the training requirement and other requirements of the Healthy Schools Act.

Pest identification, monitoring and inspection

Pest identification is done by: Clark Pest Control / Maintenance & Custodial staff

(Example: College/University staff, Pest Control Business, etc.)

Monitoring and inspecting for pests and conditions that lead to pest problems are done regularly by
Maintenance & Custodial Staff and results are communicated to the IPM Coordinator.

(Example: District staff title, e.g. Maintenance staff)

Specific information about monitoring and inspecting for pests, such as locations, times, or techniques include:

(Example: Sticky monitoring boards are placed in the kitchen and are checked weekly by custodial staff.)

Monitoring for pests is part of staff daily work flow. Detailed and focused inspections occur on a monthly (food service areas) and quarterly (exterior) basis but may be intensified during periods of greater activity

Pests and non-chemical management practices

This school district has identified the following pests and routinely uses the following non-chemical practices to prevent pests from reaching the action level:

Pest	Remove food	Fix leaks	Seal cracks	Install barriers	Physical removal	Traps	Manage Irrigation	Other
Ants	☒	☒	☒	☒	☒	☒	☒	
Roaches	☒	☒	☒	☒	☒	☒	☒	
Wasps	☒	☒	☐	☐	☒	☒	☒	
Rodents	☒	☒	☒	☒	☒	☐	☒	
Weeds	☐	☒	☐	☐	☒	☐	☒	Application of Herbicide will occur during School Non-Attendance periods
	☐	☐	☐	☐	☐	☐	☐	

Chemical pest management practices

If non-chemical methods are ineffective, the school district will consider pesticides only after careful monitoring indicates that they are needed according to pre-established action levels and will use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property and the environment.

This school district expects the following pesticides (pesticide products and active ingredients) to be applied during the year. (This list includes pesticides that will be applied by school district staff or licensed pest control businesses.):

Healthy Schools Act

- ☒ This school district complies with the notification, posting, recordkeeping, and all other requirements of the Healthy Schools Act. (Education Code Sections 17608 - 17613, 48980.3; Food & Agricultural Code Sections 13180 - 13188)

Training

Every year school district employees who make pesticide applications receive the following training prior to pesticide use:

- ☐ Pesticide specific safety training (Title 3 California Code of Regulations 6724)
- ☐ School IPM training course approved by the Department of Pesticide Regulation (Education Code Section 16714; Food & Agricultural Code Section 13186.5).

Submittal of pesticide use reports

- ☐ Reports of all pesticides applied by school district staff during the calendar year, except pesticides exempt¹ from HSA recordkeeping, are submitted to the Department of Pesticide Regulation at least annually, by January 30 of the following year, using the form provided at www.cdpr.ca.gov/schoolipm. (Education Code Section 16711)

Notification

This school district has made this IPM plan publicly available by the following methods (check at least one):

- ☐ This IPM plan can be found online at the following web address:
- ☐ This IPM plan is sent out to all parents, guardians and staff annually.

Review

- ☐ This IPM plan will be reviewed (and revised, if needed) at least annually to ensure that the information provided is still true and correct.

Date of next review:

I acknowledge that I have reviewed this school district's IPM Plan and it is true and correct.

Signature:

Barry L. L...

Date:

4-3-25

¹ These pesticides are exempt from Healthy Schools Act requirements, except the training requirement: 1) products used in self-contained baits or traps, 2) gels or pastes used as crack and crevice treatments, 3) antimicrobials, and 4) pesticides exempt from U.S. EPA registration. (Education Code Section 17610.5)

Yuba County Maintenance & Operations

List of Materials

All materials listed are approved for use by both the United States Environmental Protection Agency and the California Department of Pesticide Regulations can be used on the site in accordance with the Label and SDS Sheet located in the Clark Pest Control Binder.

No pesticide will be stored on site. All surplus pesticide are removed and disposed off site in accordance with Clark Pest Control. The above list will be updated as new materials are approved for use on the site.

Any Changes to the List of Materials must have prior facility management approval.

When the EPA# listed has two alpha characters behind it please note that is used by the State of California for Pesticide reporting and tracking.

Additionally documents may be found at the following site.

Attention: Electronic forms of labels/SDS listed may also be found at:

www.clarkpest.com

- Commercial Pest Control

- Approved Materials

 4-9-25
Facility Rep Date

 4-9-2025
Clark Pest Control Date

1 Material: Essentria IC Pro

EPA#: Exempt

Act.Ingr. : Sodium Lauryl Sulfate, Geraniol, Clove Oil, Comm

2 Material: Essentria IC3

EPA#: Exempt

Act.Ingr. : Rosemary Oil, Geraniol, Peppermint Oil

3 Material: Fendona CS

EPA#: 499-570-AA

Act.Ingr. : alpha-Cypermethrin

4 Material: Premise Pro

EPA#: 432-1449-ZA

Act.Ingr. : Imidacloprid



- Broad spectrum essential oil based insecticide
- Kills and repels listed flying and crawling insects
- Low/pleasant fragrance
- Indoor & outdoor use
- Safe when used as directed

SPECIMEN LABEL

ACTIVE INGREDIENTS:

Sodium Lauryl Sulfate	11.0%
Geraniol	10.0%
Clove Oil	3.0%
Cornmint Oil	1.5%

INERT INGREDIENTS*:

Water	74.5%
White Mineral Oil	
Glyceryl Monooleate	
Sodium Alginate	
TOTAL:	100%

KEEP OUT OF REACH OF CHILDREN CAUTION

PRECAUCION AL USUARIO: Si usted no puede leer o entender inglés, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you.)

See FIRST AID and PRECAUTIONARY STATEMENTS.

SHAKE WELL BEFORE USING

PRECAUTIONARY STATEMENTS – CAUTION – Causes eye irritation. Causes skin irritation.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Persons handling concentrate are recommended to wear:

- Protective eyewear
- Chemical resistant gloves made of neoprene, nitrile, or natural rubber

In California, persons handling concentrate are required to wear:

- Protective eyewear
- Chemical resistant gloves made of neoprene, nitrile, or natural rubber

USER SAFETY RECOMMENDATIONS: User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse. Remove PPE after handling this product. Wash the outside of the gloves before removing.

KEEP ALL INSECTICIDES OUT OF REACH OF CHILDREN

FIRST AID

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present and easy to do so, after the first 5 minutes, then continue rinsing eyes.
- Immediately call a physician / poison control center.

IF ON SKIN:

- Take off contaminated clothing.
- Wash exposed area immediately with soap and water, rinse for 15-20 minutes.
- Call a poison control center or doctor for treatment advice.

IF INHALED:

- Move exposed person(s) to fresh air.
- If breathing problems persist, get medical attention.

IF SWALLOWED:

- Immediately call a poison control center or doctor.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Do not give any liquid to the person.
- Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

Seek medical attention if necessary.

FOR CHEMICAL SPILL, LEAK, FIRE, OR EXPOSURE CALL:

CHEMTREC 1-800-424-9300

FOR MEDICAL EMERGENCIES ONLY CALL: 1-800-248-7763

DIRECTIONS FOR USE

READ ENTIRE LABEL — USE IN ACCORDANCE WITH LABEL INSTRUCTIONS

SHAKE WELL BEFORE USING

Maintain agitation in all spray systems. Essentria® IC Pro is intended for use in and around buildings and structures as well as modes of transport.

INDOOR USE AREAS:

Includes, but is not limited to, apartment buildings, agricultural buildings and other manmade structures, bakeries, barns, beverage plants, bottling facilities, breweries, cafeterias, candy plants, canneries, cereal processing and manufacturing plants, child care facilities, daycare, food trucks, frozen food plants, furniture and bedding (see Note for sensitive indoor/outdoor surfaces), garages, greenhouses, grower facilities, homes, hospitals, health care, hotels,

houses, indoor plantscapes, industrial buildings, jail cells, kennels, kitchens, laboratories, lavatories, manufacturing facilities, mausoleums, meat processing and packaging plants, meat and vegetable canneries, military barracks, motels, multifamily homes, museums, nursing homes, outbuildings, prison facilities, research facilities, storage closets, storage sheds, office buildings, rest rooms, retail stores, schools, stores, supermarkets, warehouses, and similar structures.

OUTDOOR AREAS:

Includes, but is not limited to, barns, boat houses, boat docks, building foundations, dairy facilities, drains and sewers, drive-in restaurants, drive-in theaters, feed lots, fence lines, golf courses, greenhouses, hog barns, kennels, landscape areas, lawns, lathe houses, livestock facilities, loading docks, marinas, mink farms, mushroom houses, outdoor food service, parks, playgrounds, poultry houses, recreational areas, schools, stables, trees, turf, urban areas, and zoos. Not for aquatic use, do not apply directly to water

MODES OF TRANSPORT:

Boats, buses, trucks, trailers, rail cars, marine vessels, and cargo vessels.

NOTE: For sensitive indoor/outdoor surfaces such as vinyl, plastic, fabric, wood floors, etc., test a small non-visible area first before spraying. This includes vinyl siding, outdoor furniture, storm doors, windows, etc. It is possible that Essentria® IC Pro may mar some sensitive surfaces. Cover or avoid sensitive surfaces. If spray gets on any sensitive surfaces, rinse with water and wipe off with clean cloth.

Dilute Essentria® IC Pro with water and apply with conventional application equipment including, but not limited to, compressed air sprayers and power sprayers. When diluting with water, prepare only the amount needed for immediate use and maintain agitation during use. Do Not Store Spray Solution Overnight. Make tank-mix applications in accordance with the more restrictive of label limitations and precautions. Do not exceed label dosages. Do not tank-mix this product with any product with label prohibitions against such mixing.

Best results are achieved when used as part of a treatment protocol that includes physical, environmental, and other chemical pest control measures..

INDOOR USE

Do not apply directly to house plants. Avoid or cover any pools or aquaria prior to spraying.

PESTS INCLUDE:

American cockroach nymphs, ants (including fire ants, big headed ants, carpenter ants), aphids, armyworms, beetles, billbugs, blue/green bottle flies, box elder bugs, carpet beetles, cigarette beetles, clothes moths, cluster flies, crickets, cutworms, darkling beetles, dermestids, drain flies, dung flies, drugstore beetles, earwigs, flour beetles, face flies, firebrats, fruit flies, German cockroaches, grasshoppers, gnats, hemp aphids, house flies, Indian meal moths, Japanese beetles, kudzu bugs, lace bugs, mealybugs, midges, millipedes, mites, mosquitoes, multi-color Asian lady beetles, mole crickets, pill bugs, phorid flies, scale insects, sod webworms, sciarid flies, silverfish, sowbugs, spiders (including brown recluse [on non-porous surfaces] and cellar spiders), spider mites, springtails, stable flies, stink bugs, tent caterpillars, thrips, white flies, western conifer seed bugs, other true bugs (including brown marmorated stink bugs, boxelder bugs, *Jadera* bugs).

PEST CONTROL:

To control accessible, exposed stages of crawling insects including, ants (including fire ants, big headed ants, carpenter ants), cockroaches, including German cockroaches and aids in the control of American cockroach nymphs, spiders (including brown recluse [on non-porous surfaces] and cellar spiders), earwigs and true bugs (including brown marmorated stink bugs, boxelder bugs, *Jadera* bugs) in sites that include, but are not limited to, apartments, homes, industrial installations and warehouses, dilute at the rate of up to 1 to 8 fluid ounces of Essentria® IC Pro per gallon of water (use lower rate for maintenance service and higher rates for active infestations). Thoroughly spray non-visible areas where these insects are usually found with special attention to cracks and crevices, niches, dark corners, drains and other harborage sites. Repeat as necessary. To prevent potential discoloring, test on nonvisible areas (i.e.,

baseboards, door frames, walls, etc.) and wipe away excess.

COCKROACH HARBORAGE REPELLENCY:

For use as a harborage repellent against German cockroaches, mix 4-8 fluid ounces of Essentria® IC Pro per gallon of water (use lower rate for maintenance service and higher rates for active infestations). Apply final dilution at 2 gallons per 1,000 square feet paying special attention to cracks and crevices, niches, dark corners, drains and other harborage sites. Repeat every 14-21 days. To prevent potential discoloring, test on non-visible areas (i.e., baseboards, door frames, walls, etc.) and wipe away excess.

FOGGING:

To control crawling and flying insects (including house flies, mosquitoes, gnats, fruit flies, phorid flies) in sites that include, industrial installations, zoos, and warehouses), Essentria® IC Pro may be applied as a space spray through conventional fogging equipment misting systems (including mist sprayers and mist blowers), automated spray systems, and/or related application technologies. Cover or remove exposed food and cover food handling surfaces. Also cover sensitive surfaces (plastics, etc.). Close and shut off air conditioning or ventilating equipment. Mix 1 to 8 fluid ounces of Essentria® IC Pro with sufficient water to equal 1 gallon of diluted spray. Apply at a rate of 1 to 8 fluid ounces per 1,000 cubic feet, filling the room with mist (or fog if thermal equipment is used). Keep area closed for at least 15 minutes. Vacate treated area. Ventilate before occupying. Fogging may create slippery conditions on painted floor surfaces. Retreat if reinfestation occurs.

The product does contain plant oils that are inherently fragrant. When used in confined spaces, prolonged exposure to the fragrance may be objectionable to some individuals.

OUTDOOR USE

PERIMETER TREATMENTS AND RECREATIONAL AREAS:

To control ants (including fire ants, big headed ants, carpenter ants), cockroaches, including German cockroaches and aid in the control of American cockroach nymphs, crickets, pill bugs, silverfish, sowbugs, and spiders (including brown recluse [on non-porous surfaces] and cellar spiders), true bugs (including brown marmorated stink bugs, boxelder bugs, *Jadera* bugs) in compressed air sprayers, dilute 1 to 8 fluid ounces of Essentria® IC Pro per gallon of water (use lower rate for maintenance service and higher rates for active infestations) and apply at the rate of 2 gallons per 1,000 square feet or until area is thoroughly wet. Also apply to a band of soil and vegetation 6 to 10 feet wide around and adjacent to buildings. Treat the building foundation to a height of 2 to 3 feet with sufficient water for coverage. Make special efforts to spray areas where pest species congregate, including, but not limited to, waste receptacles, dumpsters, unoccupied picnic tables, the exterior of food handling establishments, and food pavilions. Additionally, apply around potential entry areas including, but not limited to, eaves, windows, doorways, porches, porch lights, and around utility boxes. For power sprayers, mix 1 to 8 fluid ounces of Essentria® IC Pro per gallon of water (use lower rate for maintenance service and higher rates for active infestations) and apply until area is sufficiently covered (usually min. 2 gallons per 1,000 square feet). Use care and do not spray on sensitive plants. If not sure, test spray a few leaves 2 days before spraying entire plant. Exceeding rates may create potential phytotoxicity on turf surfaces. Maintain agitation. Repeat as necessary.

MOSQUITO AND FLY SPATIAL REPELLENCY

For use as a repellent against mosquitoes and flies as a spatial repellent, mix 4-8 fluid ounces of Essentria® IC Pro per gallon of water (use lower rate for maintenance service and higher rates for active infestations). Apply final dilution at 2 gallons per 1,000 square feet paying special attention to cracks and crevices, niches, dark corners, drains and other harborage sites. Repeat every 4 days for maximum efficacy. To prevent potential discoloring, test on non-visible areas (i.e., baseboards, door frames, walls, etc.) and wipe away excess.

MOSQUITO CONTROL AND OTHER FLYING INSECTS - OUTDOOR YARD OR BARRIER TREATMENT:

To control mosquitoes and flies using ground application, dilute 1 to 8 fluid

ounces of Essentria® IC Pro per gallon of water. Treat harborage areas such as shrubbery and vegetation where mosquitoes/flyes may rest. Shrubby, vegetation and a 2–3-foot band of turf around stagnant pools, marshy areas, ponds, and shorelines may be treated. Use care and do not spray on sensitive plants. If not sure, test spray a few leaves 2 days before spraying entire plant. Exceeding rates may create potential phytotoxicity on turf and vegetation surfaces. Repeat every four days for maximum efficacy.

MOSQUITO CONTROL AND OTHER FLYING INSECTS—AUTOMATIC SPRAYING SYSTEMS:

Do not program automatic spraying systems to release pesticides where food or feed is directly exposed. To control flies, including house flies, lesser house flies, mosquitoes, and gnats, add concentrate to tank and add water to obtain desired dilution. Agitate well while adding water and maintain thorough agitation while system is in use. In automatic spraying systems like, but not limited to, misting systems used for mosquito and other flying insect control, solutions of Essentria® IC Pro may be stored for extended periods of time, not to exceed one month, as long as the system has agitation, and the appropriate quantity of adjuvant is used. Dispense diluted concentrate through automatic spraying system. Set nozzles to deliver one fluid ounce liquid per minute. Locate nozzles to cover a maximum of 2,000 cubic feet of space per nozzle. Set timer to operate in accordance with equipment directions. Dilute Essentria® IC Pro just prior to use at 1 to 8 fluid ounces per gallon of water (use lower dilution rates for preventative applications).

TO CONTROL SPIDERS, FLYING INSECTS, AND OTHER LISTED NUISANCE PESTS ON AND AROUND BOAT DOCKS:

To control or reduce pests; dilute 1 to 8 fluid ounces of Essentria® IC4 per gallon of water and apply at the rate of 2 gallons per 1,000 square feet or until area is thoroughly wet. Since flying insects can migrate in and out of the treatment area, it is recommended to use this product as part of an Integrated Pest Management (IPM) program.

FOR USE ON CANNABIS, HEMP OR UNSPECIFIED FOOD CROPS: Approved in Florida for use on low-THC cannabis or medical marijuana

To control hemp aphid and spider mites, mix 1 to 8 fluid ounces of Essentria® IC Pro per gallon of water and apply at the rate of 2 gallons per 1,000 square feet or until area is thoroughly wet. Since flying insects can migrate in and out of the treatment area, it is recommended to use this product as part of an Integrated Pest Management (IPM) program.

PREMISE USE DIRECTIONS FOR LIVESTOCK FACILITIES (When animals are not present)

To control ants (including fire ants, big headed ants, carpenter ants), cockroaches, including German cockroaches and aid in the control of American cockroach nymphs, earwigs, mosquitoes, and spiders (including brown recluse [on non-porous surfaces] and cellar spiders) mix 1 to 8 fluid ounces of Essentria® IC Pro per gallon of water (use lower rate for maintenance service and higher rates for active infestations) and apply at a rate of 2 gallons per 1,000 square feet. Thoroughly cover walls, ceilings, or other areas where pests rest or congregate in dairy barns, horse barns, poultry houses, swine buildings, livestock sheds, and other farm buildings. Maintain agitation. Repeat as necessary.

Summary of Listed Uses and Rates

	Section	Listed Pests	Fluid Ounces product per gallon of water	Dilution application	Comments
Indoor	General	Crawling insects and spiders	1 - 8	2 gal / 1,000 ft²	8 oz / gallon for fire ants
Indoor	Harborage repellency	Cockroaches	4 - 8	2 gal / 1,000 ft²	Reapply 14-21 days
Indoor	Fogging / Misting ULV and Thermal	Crawling and flying insects and spiders	1 - 8	1 - 3 fl oz / 1,000 ft³	Reapply as necessary
	Mosquito repellency	Mosquitoes	4 - 8	2 gal / 1,000 ft²	Reapply every 4 days
Outdoor	Perimeter	Crawling insects	1 - 8	2 gal / 1,000 ft²	Band 6" – 10" wide around adjacent buildings
Outdoor	Automatic Spraying / Misting Systems	Mosquitoes and other flying insects	1 - 8	1 fl oz / min	
Outdoor	Boat docks	Spiders, crawling and flying insects	1 - 8	2 gal / 1,000 ft²	
	Cannabis, hemp, or unspecified food crops	Aphids and spider mites	1 - 8	2 gal / 1,000 ft²	Test plants first
	Livestock facilities	Crawling and flying insects, spiders	1 - 8	2 gal / 1,000 ft²	
Low rate is for maintenance (1 – 4 fl oz). Higher rates (6 fl oz – 8 fl oz) are for active infestations.					

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal. **STORAGE:** Store in original container in a dry cool place inaccessible to children and pets. **DISPOSAL:** Do not reuse container. Recycle or discard in trash.

Limitation of Liability

To the fullest extent permitted by law, the manufacturer disclaims any liability whatsoever for special, incidental, or consequential damages resulting from the use or handling of this product. Buyer assumes all responsibility for safety and use not in accordance with label, directions, and precautionary statements.

This product qualified for exemption from EPA registration under Federal Insecticide Fungicide and Rodenticide Act (FIFRA).

For information, call 1-800-248-7763 or visit our Web site: www.zoecon.com

SECTION 1: Identification**1.1. Identification**

Product form : Mixture
Name : Essentria IC Pro
Synonyms : 100546635, 100546636, 100546637, 100546881, RF2364 25(b) Pro

1.2. Recommended use and restrictions on use

Recommended use : Insecticide.
Restrictions on use : Keep out of reach of children. Avoid contact with eyes, skin or clothing.

1.3. Supplier

Wellmark International
1501 E. Woodfield Road, Suite 200W
Schaumburg, IL 60173 - United States
www.zoecon.com

1.4. Emergency telephone number

Emergency number : 1-800-248-7763
1-800-424-9300 - CHEMTREC
1-703-527-3887 - CHEMTREC - Outside North America - Collect Calls Accepted

SECTION 2: Hazard(s) identification**2.1. Classification of the substance or mixture****GHS US classification**

Skin corrosion/irritation Category 2 Causes skin irritation
Serious eye damage/eye irritation Category 2A Causes serious eye irritation

2.2. GHS Label elements, including precautionary statements**GHS US labeling**

Hazard pictograms (GHS US)



GHS07

Signal word (GHS US) : Warning
Hazard statements (GHS US) : Causes skin irritation
Causes serious eye irritation
Precautionary statements (GHS US) : Wash hands, forearms and face thoroughly after handling.
Wear protective gloves/protective clothing/eye protection/face protection.
IF ON SKIN: Wash with plenty of water.
IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.
If skin irritation occurs: Get medical advice/attention.
If eye irritation persists: Get medical advice/attention.
Take off contaminated clothing and wash it before reuse.

2.3. Other hazards which do not result in classification

Other hazards which do not result in classification : Under United States Regulations (29 CFR 1910.1200 - Hazard Communication Standard), this product is considered hazardous.

2.4. Unknown acute toxicity (GHS US)

Not applicable

SECTION 3: Composition/Information on Ingredients**3.1. Substances**

Not applicable

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3.2. Mixtures

Name	Product identifier	%
Geraniol	(CAS-No.) 106-24-1	10
Sodium lauryl sulfate	(CAS-No.) 68585-47-7	11
Oils, clove	(CAS-No.) 8000-34-8	3
Cornmint Oil	(CAS-No.) 68917-18-0	1.5
Mineral oil, white	(CAS-No.) 8042-47-5	10
Non-hazardous and/or does not meet criteria for classification	(CAS-No.) N/A	Balance

SECTION 4: First-aid measures

4.1. Description of first aid measures

- First-aid measures after inhalation : IF INHALED: Remove person to fresh air and keep comfortable for breathing. Call a POISON CENTER or doctor/physician if you feel unwell.
- First-aid measures after skin contact : IF ON SKIN: Wash with plenty of soap and water. Wash skin with plenty of water. Take off contaminated clothing. If skin irritation or rash occurs: Get medical advice/attention.
- First-aid measures after eye contact : IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists: Get medical advice and attention.
- First-aid measures after ingestion : IF SWALLOWED: Call a POISON CENTER or doctor/physician if you feel unwell. Rinse mouth. Do NOT induce vomiting unless directed to do so by medical personnel.

4.2. Most important symptoms and effects (acute and delayed)

- Symptoms/effects after skin contact : Causes skin irritation.
- Symptoms/effects after eye contact : Causes serious eye irritation.

4.3. Immediate medical attention and special treatment, if necessary

Treat symptomatically.

SECTION 5: Fire-fighting measures

5.1. Suitable (and unsuitable) extinguishing media

- Suitable extinguishing media : Use water fog, alcohol resistant foam, carbon dioxide, or dry chemical.
- Unsuitable extinguishing media : Avoid heavy hose streams.

5.2. Specific hazards arising from the chemical

- Reactivity : The product is non-reactive under normal conditions of use, storage and transport.

5.3. Special protective equipment and precautions for fire-fighters

- Firefighting instructions : Do not allow fire fighting water to escape into waterways or sewers. Evacuate area. Stay upwind. Ventilate closed spaces before entering. Do not breathe gas/fumes/vapor/spray.
- Protection during firefighting : Do not attempt to take action without suitable protective equipment. Self-contained breathing apparatus. Complete protective clothing.

SECTION 6: Accidental release measures

6.1. Personal precautions, protective equipment and emergency procedures

6.1.1. For non-emergency personnel

- Emergency procedures : Ventilate spillage area. Avoid breathing vapors or fumes. Avoid contact with skin, eyes and clothing. Do not touch or walk on the spilled product.

6.1.2. For emergency responders

- Protective equipment : Do not attempt to take action without suitable protective equipment. For further information refer to section 8: Exposure controls/personal protection.
- Emergency procedures : Stop release. Ventilate area. Stay upwind. Wear appropriate personal protective equipment, avoid direct contact.

6.2. Environmental precautions

Avoid release to the environment.

6.3. Methods and material for containment and cleaning up

- Methods for cleaning up : Absorb spills with an inert material, clay granules or other inert absorbent material and put in container for disposal. Wear appropriate personal protective equipment, avoid direct contact.

Essentria IC Pro

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SECTION 7: Handling and storage

7.1. Precautions for safe handling

- Precautions for safe handling : Ensure good ventilation of the work station. Avoid contact with skin and eyes. Wear personal protective equipment.
- Hygiene measures : Wash contaminated clothing before reuse. Do not eat, drink or smoke when using this product. Always wash hands after handling the product.

7.2. Conditions for safe storage, including any incompatibilities

- Storage conditions : Keep container tightly closed. Keep only in original container. Store in a well-ventilated place. Keep cool. Avoid direct sunlight. Do not store near strong acids, oxidizing agents, hazardous or toxic substances. Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking.
- Incompatible materials : Strong oxidizers. Strong acids.

SECTION 8: Exposure controls/personal protection

8.1. Control parameters

Mineral oil, white (8042-47-5)		
ACGIH	ACGIH OEL TWA	5 mg/m ³
ACGIH	ACGIH OEL STEL	10 mg/m ³
OSHA	OSHA PEL TWA [1]	5 mg/m ³

8.2. Appropriate engineering controls

- Appropriate engineering controls : Adequate ventilation systems as needed to control concentrations of airborne contaminants below applicable threshold limit values.
- Environmental exposure controls : Avoid release to the environment.

8.3. Individual protection measures/Personal protective equipment

Hand protection:

Wear chemical resistant gloves

Eye protection:

Safety glasses

Skin and body protection:

Wear long-sleeved shirt, long pants, socks and shoes

Respiratory protection:

Not required for normal conditions of use. In case of insufficient ventilation, use NIOSH approved respiratory protection.



SECTION 9: Physical and chemical properties

9.1. Information on basic physical and chemical properties

- Physical state : Liquid
- Appearance : Milky white liquid
- Color : Milky white
- Odor : Strong, pleasant, herbal, and menthol-like
- Odor threshold : No data available
- pH : 5.41 @ 25 °C (77 °F)
- Melting point : Not applicable

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Freezing point	: No data available
Boiling point	: No data available
Flash point	: Does not flash @ 107 °C (224.6 °F)
Relative evaporation rate (butyl acetate=1)	: No data available
Flammability	: Not applicable
Vapor pressure	: No data available
Relative vapor density at 20 °C	: No data available
Relative density	: 0.9702 g/mL @ 20 °C (68 °F)
Solubility	: No data available
Partition coefficient n-octanol/water (Log Pow)	: No data available
Auto-ignition temperature	: No data available
Decomposition temperature	: No data available
Viscosity, kinematic	: No data available
Viscosity, dynamic	: 21.8 cP @ 40 °C, 45.4 cP @ 20 °C - Newtonian Fluid
Explosion limits	: No data available
Explosive properties	: Not explosive
Oxidizing properties	: Not applicable

9.2. Other information

No additional information available

SECTION 10: Stability and reactivity

10.1. Reactivity

The product is non-reactive under normal conditions of use, storage and transport.

10.2. Chemical stability

Stable under normal conditions.

10.3. Possibility of hazardous reactions

No dangerous reactions known under normal conditions of use. Hazardous polymerization will not occur.

10.4. Conditions to avoid

Avoid direct sunlight. Heat, sparks, open flame. Excess heat.

10.5. Incompatible materials

Strong acids. Strong oxidizing agents.

10.6. Hazardous decomposition products

Under normal conditions of storage and use, hazardous decomposition products should not be produced.

SECTION 11: Toxicological information

11.1. Information on toxicological effects

Essentria IC Pro	
LD50 oral rat	> 5000 mg/kg
LC50 Inhalation - Rat	> 2.1 mg/l

GHS-US Properties	Classification
Acute toxicity (oral)	Not classified
Acute toxicity (dermal)	Not classified
Acute toxicity (inhalation)	Not classified
Skin corrosion/irritation	Causes skin irritation.
Serious eye damage/irritation	Causes serious eye irritation.
Respiratory or skin sensitization	Not classified
Germ cell mutagenicity	Not classified
Carcinogenicity	Not classified
Reproductive toxicity	Not classified
Specific target organ toxicity (single exposure)	Not classified

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Specific target organ toxicity (repeated exposure)	Not classified
Aspiration hazard	Not classified

Potential health effects

Inhalation

Acute : May cause respiratory tract irritation.

Skin

Acute : Causes skin irritation.

Eye

Acute : Causes serious eye irritation.

Ingestion

Acute : Under normal conditions of use, no health effects are expected.

Mutagenicity : Not classified.

Carcinogenicity : Not classified.

Reproductive Effects : Not classified.

SECTION 12: Ecological information

12.1. Toxicity

No data available

12.2. Persistence and degradability

No data available

12.3. Bioaccumulative potential

No data available

12.4. Mobility in soil

No data available

12.5. Other adverse effects

No data available

SECTION 13: Disposal considerations

13.1. Disposal methods

Product/Packaging disposal recommendations : Dispose of content and/or container in accordance with local, regional, national, and/or international regulations.

SECTION 14: Transport information

	UN number	Proper Shipping Name	Transport hazard class(es)	Packing group	Environmental hazards
DOT	Not regulated	Not regulated	Not regulated	Not regulated	Not applicable
IMDG	Not regulated	Not regulated	Not regulated	Not regulated	Not applicable
IATA	Not regulated	Not regulated	Not regulated	Not regulated	Not applicable

SECTION 15: Regulatory information

15.1. US Federal regulations

Geraniol (106-24-1)
Listed on the United States TSCA (Toxic Substances Control Act) inventory
Sodium lauryl sulfate (68585-47-7)
Listed on the United States TSCA (Toxic Substances Control Act) inventory
Oils, clove (8000-34-8)
Listed on the United States TSCA (Toxic Substances Control Act) inventory

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Mineral oil, white (8042-47-5)	
Listed on the United States TSCA (Toxic Substances Control Act) inventory	
EPA Labelling	
EPA Registration Number	25(b)
FIFRA Hazard statements	Caution
FIFRA Precautionary statements	KEEP OUT OF REACH OF CHILDREN.
FIFRA Hazards to Humans and Domestic Animals	Causes eye irritation. Causes skin irritation.
FIFRA First aid	IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present and easy to do so, after the first 5 minutes, then continue rinsing eyes. Immediately call a physician / poison control center. IF ON SKIN: Take off contaminated clothing. Wash exposed area immediately with soap and water, rinse for 15-20 minutes. Call a poison control center or doctor for treatment advice. IF INHALED: Move exposed person(s) to fresh air. If breathing problems persist, get medical attention. IF SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

15.2. US State regulations

No additional information available

SECTION 16: Other information

Issue date : 08 July 2022

SDS US (GHS HazCom 2012) - CGP

The information and statements herein are believed to be reliable but are not to be construed as a warranty or representation for which we assume legal responsibility. Users should undertake sufficient verification and testing to determine the suitability for their own particular purpose of any information or products referred to herein. NO WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE IS MADE.



INSECTICIDE CONCENTRATE

KILLS: Crawling and Flying Insect Pests as listed

Indoors, Outdoors, Fogging, Turf and Ornamental and Mosquito Misting Applications

SPECIMEN LABEL

ACTIVE INGREDIENTS:

Rosemary Oil	10%
Geraniol	5%
Peppermint Oil	2%

INERT INGREDIENTS*:

White Mineral Oil	
Wintergreen Oil	
Vanillin	
Polyglyceryl Oleate.....	83%

TOTAL: 100%

KEEP OUT OF REACH OF CHILDREN CAUTION

PRECAUCION AL USUARIO: Si usted no puede leer o entender inglés, o use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(**TO THE USER:** If you cannot read or understand English, do not use this product until the label has been fully explained to you.) See inside label booklet for FIRST AID and PRECAUTIONARY STATEMENTS.

Octopamine Blocker Technology

PRECAUTIONARY STATEMENTS

CAUTION – May cause eye and skin irritation. Avoid contact with eyes, skin and clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Persons handling concentrate are required to wear:

- Protective eyewear
- Chemical resistant gloves made of neoprene, nitrile or natural rubber

USER SAFETY RECOMMENDATIONS: User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing immediately if the product gets inside. Wash thoroughly and put on clean clothing. Remove PPE after handling this product. Wash the outside of the gloves before removing.

FIRST AID

IF IN EYES	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a physician if irritation persists.
IF ON SKIN	• Wash exposed area thoroughly with soap and water.
IF INHALED	• Move exposed person(s) to fresh air. • If breathing problems persist, get medical attention.
IF INGESTED	• Rinse mouth out with water. • Do not induce vomiting. • Obtain medical attention if feeling sick or nauseous.
Seek medical attention if necessary.	

PHYSICAL AND CHEMICAL HAZARDS: Do not use, pour, spill or store near heat or open flame. Store only in original container.

DIRECTIONS FOR USE

READ ENTIRE LABEL. USE IN ACCORDANCE WITH LABEL INSTRUCTIONS.

Maintain agitation in all spray systems. Essentria® IC3 Insecticide Concentrate (Essentria® IC3) is intended for use in and around buildings and structures as well as modes of transport.

INDOOR USE AREAS: Includes, but is not limited to, apartment buildings, homes, hospitals, hotels, houses, industrial buildings, kennels, laboratories, manufacturing facilities, mausoleums, motels, nursing homes, office buildings, schools, stores, supermarkets, warehouses and similar structures.

OUTDOOR AREAS: Includes, but is not limited to, building foundations, drive-in restaurants, drive-in theaters, golf courses, parks, playgrounds, recreational areas, schools, urban areas, lawns, landscape areas, trees, turf and zoos.

MODES OF TRANSPORT: Aircraft, buses, trucks, trailers, rail cars and marine vessels.

NOTE: For sensitive indoor/outdoor surfaces such as vinyl, plastic, fabric, wood floors, etc. test a small non-visible area first before spraying. This includes vinyl siding, outdoor furniture, storm doors and windows, etc. It is possible that Essentria® IC3 may mar some sensitive surfaces. If spray gets on any sensitive surface that is listed, simply rinse with water and wipe off with clean cloth. Essentria® IC3 may be diluted with water or oil and applied with conventional application equipment including, but not limited to, compressed air sprayers and power sprayers. When diluting with water, prepare only the amount needed for immediate use and maintain agitation during use. Do Not Store Spray Solution Overnight. Tank mix applications must be made in

accordance with the more restrictive of label limitations and precautions. No label dosages may be exceeded. This product cannot be tank mixed with any product with label prohibitions against such mixing.

Most effective results are achieved when used as part of a treatment protocol that includes physical, environmental and other chemical pest control measures.

INDOOR USE

Do not apply directly to house plants. Cover/avoid any pools or aquaria prior to spraying.

GENERAL PEST CONTROL: To control accessible, exposed stages of crawling insects including, ants, cockroaches, caddises, cigarette beetles, dark mealworms, dried fruit beetles, drugstore beetles, confused floor beetles, fleas, grain mites, fowl mites, mites, nuisance beetles (such as lady beetles), red flour beetles, rice weevils, saw-toothed grain beetles, spiders, spider beetles, yellow mealworms in sites that include, but are not limited to, apartments, homes, industrial installations and warehouses, dilute at the rate of up to 0.5 to 6 fluid ounces of Essentria® IC3 per gallon of water (use lower rate for maintenance service and higher rates for active infestations). Thoroughly spray non-visible areas where these insects are usually found with special attention to cracks and crevices, niches, dark corners, drains and other harborage sites. Repeat as necessary. To prevent potential discoloring, do not spray on visible areas (i.e. baseboards, door frames, walls, etc.) and wipe away excess.

FOGGING: To control crawling and flying insects (moths and flies, including house flies, horse flies, stable flies, horn flies, mosquitoes, gnats, fruit flies, phorid flies) in sites that include industrial installations, zoos and warehouses), Essentria® IC3 may be applied as a space spray through conventional fogging equipment misting systems (including mist sprayers and mist blowers), automated spray systems, and/or related application technologies. Cover or remove exposed food and cover food-handling surfaces. Also cover sensitive surfaces (plastics, etc). Close and shut off air conditioning or ventilating equipment. Mix 4 to 10 fluid ounces of Essentria® IC3 with sufficient oil to equal 1 gallon of diluted spray. Apply at a rate of 1 to 3 fluid ounces per 1,000 cubic feet, filling the room with mist (or fog, if thermal equipment is used). Keep area closed for at least 15 minutes. Vacate treated area. Ventilate before reoccupying. Fogging may create slippery conditions on painted floor surfaces. Retreat if reinfestation occurs.

The product does contain plant oils that are inherently fragrant. When used in confined spaces, prolonged exposure to the fragrance may be objectionable to some individuals.

OUTDOOR USE

PERIMETER TREATMENTS AND RECREATIONAL AREAS: To control aphids, ants, bees, boxelder bugs, centipedes, cockroaches, crickets, darkling beetles, firebrats, fleas, ground beetles, fowl mites, mites, millipedes, pillbugs, silverfish, sowbugs, spiders, ticks and wasps, in compressed air sprayers, dilute 1 to 8 fluid ounces of Essentria® IC3 per gallon of water (use lower rate for maintenance service and higher rates for active infestations) and apply at the rate of 2 gallons per 1,000 square feet or until area is thoroughly wet. Also apply to a band of soil and vegetation 6 to 10 feet wide around and adjacent to buildings. Treat the building foundation to a height of 2 to 3 feet with sufficient water for coverage. Make special efforts to spray areas where pest species congregate such as, but not limited to, waste receptacles, dumpsters, unoccupied picnic tables, the exterior of food handling establishments, and food pavilions. Additionally, apply around potential entry areas such as, but not limited to, eaves, windows, doorways, porches, porch lights, and around utility boxes. For power sprayers, mix approximately 1 to 6 fluid ounces of Essentria® IC3 per gallon of water (use lower rate for maintenance service and higher rates for active infestations) and apply until area is sufficiently covered (usually min. 4 gallons per 1,000 square feet). Maintain agitation. Repeat as necessary.

MOUND DRENCH METHOD - FOR CONTROL OF FIRE ANTS AND OTHER MOUNDING ANTS: Dilute 2 to 4 fluid ounces of Essentria® IC3 per gallon of water. Apply 1 to 2 gallons of emulsion to each mound area by sprinkling the mound until it is wet and treat a 4 foot diameter circle around the mound. Use the higher volume for mounds larger than 12 inches. For best results, apply in

cool weather, such as the early morning or late evening hours, but not in the heat of the day.

MOSQUITO CONTROL AND OTHER BITING FLIES - OUTDOOR YARD OR BARRIER TREATMENT: To control adult mosquitoes and other biting flies using ground application, dilute 1 to 3 fluid ounces of Essentria® IC3 per gallon of water. Treat harborage areas such as shrubbery and vegetation where mosquitoes/flyies may rest. Shrubby and vegetation around stagnant pools, marshy areas, ponds and shorelines may be treated. Repeat as necessary.

MOSQUITO CONTROL AND OTHER BITING INSECTS - AUTOMATIC SPRAYING SYSTEMS: Automatic spraying systems must not be programmed to release pesticides where food or feed is directly exposed. To control flies, house flies, horn flies, stable flies, horse flies, mosquitoes and gnats, add concentrate to tank and add water to obtain desired dilution. Agitate well while adding water and maintain thorough agitation while system is in use. In automatic spraying systems like, but not limited to, misting systems used for mosquito and other biting insect control, solutions of Essentria® IC3 may be stored for extended periods of time, not to exceed one month, as long as the system has agitation and the appropriate quantity of adjuvant is used. Dispense diluted concentrate through automatic spraying system. Set nozzles to deliver one fluid ounce liquid per minute. Locate nozzles to cover a maximum of 2,000 cubic feet of space per nozzle. Set timer to operate in accordance with equipment directions. Dilute Essentria® IC3 just prior to use at 0.5 to 3 fluid ounces per gallon of water (Use lower dilution rates for preventative applications).

TO CONTROL SPIDERS, FLYING INSECTS, AND OTHER NUISANCE PESTS ON AND AROUND BOAT DOCKS: As an aid in the elimination of their harborage areas, dilute 2 to 8 fluid ounces of Essentria® IC3 per gallon of water and apply at the rate of 2 gallons per 1,000 square feet or until area is thoroughly wet. Since flying insects can migrate in and out of the treatment area, it is recommended to use this product as part of an Integrated Pest Management (IPM) program. This includes, but is not limited to, eliminating breeding and harborage sites.

USE ON TURF AND GRASS: Use alone as a contact spray to control ants, armyworms, billbugs, chinch bugs, chiggers, crickets, cutworms, earwigs, fleas, grasshoppers, hyperodes weevils (adults), Japanese beetles (adults), mole crickets, sod webworms and ticks, dilute in a compressed air sprayer (or backpack), 2 to 4 fluid ounces of Essentria® IC3 per gallon of water and apply at the rate of 2 to 4 gallons per 1,000 square feet or until area is thoroughly wet. For power sprayers, mix approximately 2 to 4 fluid ounces per gallon of water and apply until area is sufficiently covered (usually min. 4 gallons per 1,000 square feet with power sprayer). Exceeding rates may create potential phytotoxicity on turf surfaces.

USE ON NON-BEARING TREES AND SHRUBS: To control mites, scale insects, mealybugs, aphids, lace bugs, whiteflies, tent caterpillars, bagworms and beetles, dilute up to 1 to 2 fluid ounces of Essentria® IC3 per gallon of water and apply using a compressed air sprayer or power sprayer until foliage is thoroughly wet. Maintain agitation.

Exceeding rates may create potential phytotoxicity on plant surfaces. Dilute with enough water to obtain thorough coverage.

PREMISE USE DIRECTIONS FOR LIVESTOCK FACILITIES (When animals are not present)

USE	INSECT	DILUTION ESSENTRIA® IC-3 INSECT CONCENTRATE	REMARKS
Residual Surface Spray	Flies, Gnats, Litter beetles, Darkling beetles (Lesser mealworms) Mosquitoes, Spiders, Wasps	1 to 3 fluid ounces per gallon of mineral oil USP	Apply 1 gallon of dilution per 500-1,000 sq ft. Thoroughly cover walls, ceilings or other areas where pests rest or congregate in dairy barns, poultry houses, swine buildings, livestock sheds, and other farm buildings.
Larvicide	Maggots (Fly larvae)	1 to 3 fluid ounces per gallon of mineral oil USP	Apply 1 gallon of dilution per 100 sq ft of droppings as a coarse spray. Repeat at 7-10 day intervals until droppings begin to come up, then treat only "hot spots" (small areas found to have large number of maggots).

FOR CHEMICAL SPILL, LEAK, OR FIRE, CALL: CHEMTREC 1-800-424-9300
FOR MEDICAL EMERGENCIES, CALL: 1-800-248-7763
KEEP ALL INSECTICIDES OUT OF REACH OF CHILDREN

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

STORAGE: Store in original container in a dry cool place inaccessible to children and pets.

DISPOSAL: Do not reuse container. Discard in trash.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: To the fullest extent permitted by law, the manufacturer disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product. Buyer assumes all responsibility for safety and use not in accordance with label, directions and precautionary statements.

This product is exempt from registration with the federal Environmental Protection Agency under FIFRA Section 25(b) regulations.

Central Garden & Pet Company and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Central Garden & Pet Company.



Central Garden & Pet Company, 1501 East Woodfield Road, 200W, Schaumburg, Illinois 60173

NOTE: This specimen label is for informational purposes only. All uses may not be approved in all states. See product labeling for use directions.

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PCO 20-002

August, 2020
Schaumburg, IL

Essentria IC3 Insect Concentrate

Safety Data Sheet

Date of issue: 01/26/2015

Revision date: 01/18/2018

Supersedes: 12/08/2017

Version: 1.1

SECTION 1: Identification

1.1. Identification

Product form : Mixture
Trade name : Essentria IC3 Insect Concentrate
Synonyms : 674610, 100208730, 100208930, 100532769

1.2. Recommended use and restrictions on use

Recommended use : Insecticide.
Restrictions on use : Keep out of reach of children. Avoid contact with eyes, skin and clothing. Do not use or store near heat or open flame. Do NOT take internally.

1.3. Supplier

Envincio, LLC
1501 E. Woodfield Road, Suite 200W
Schaumburg, IL 60173 - United States

1.4. Emergency telephone number

Emergency number : 1-800-248-7763
1-800-424-9300 - CHEMTREC
1-703-527-3887 - CHEMTREC - Outside North America - Collect Calls Accepted

SECTION 2: Hazard(s) identification

2.1. Classification of the substance or mixture

GHS-US classification

Flammable liquids Category 4	Combustible liquid
Acute toxicity (oral) Category 4	Harmful if swallowed
Skin corrosion/irritation Category 2	Causes skin irritation
Serious eye damage/eye irritation Category 1	Causes serious eye damage
Skin sensitization, Category 1	May cause an allergic skin reaction
Reproductive toxicity Category 1B	May damage fertility or the unborn child
Specific target organ toxicity (single exposure) Category 3	May cause drowsiness or dizziness
Aspiration hazard Category 1	May be fatal if swallowed and enters airways

2.2. GHS Label elements, including precautionary statements

GHS-US labeling

Hazard pictograms (GHS-US)



GHS05



GHS07



GHS08

Signal word (GHS-US)

: Danger

Hazard statements (GHS-US)

: Combustible liquid
Harmful if swallowed
May be fatal if swallowed and enters airways
Causes skin irritation
May cause an allergic skin reaction
Causes serious eye damage
May cause drowsiness or dizziness
May damage fertility or the unborn child

Precautionary statements (GHS-US)

: Obtain special instructions before use.
Do not handle until all safety precautions have been read and understood.
Keep away from heat, hot surfaces, open flames, sparks. - No smoking.
Avoid breathing fume, gas, mist, spray, vapors.
Wash hands, forearms and face thoroughly after handling.
Do not eat, drink or smoke when using this product.
Use only outdoors or in a well-ventilated area.
Contaminated work clothing must not be allowed out of the workplace
Wear Gloves.
If swallowed: Immediately call un centro de toxicología o a un médico

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If swallowed: Call un centro de toxicología o a un médico if you feel unwell
If on skin: Wash with plenty of water
If inhaled: Remove person to fresh air and keep comfortable for breathing
If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing
If exposed or concerned: Get medical advice/attention.
Immediately call a poison center or doctor.
Rinse mouth.
Do NOT induce vomiting.
If skin irritation occurs: Get medical advice/attention.
If skin irritation or rash occurs: Get medical advice/attention.
Take off contaminated clothing and wash it before reuse.
Wash contaminated clothing before reuse.
In case of fire: Use media other than water to extinguish.
Store in a well-ventilated place. Keep container tightly closed.
Keep cool.
Store locked up.
Dispose of contents/container to in accordance with local/regional/national/international regulations

2.3. Other hazards which do not result in classification

Other hazards not contributing to the classification

Under United States Regulations (29 CFR 1910.1200 - Hazard Communication Standard), this product is considered hazardous.

2.4. Unknown acute toxicity (GHS US)

Not applicable

SECTION 3: Composition/Information on ingredients

3.1. Substances

Not applicable

3.2. Mixtures

Name	Product identifier	%
Rosemary oil	(CAS-No.) 8000-25-7	10
Geraniol	(CAS-No.) 106-24-1	5
Peppermint Oil	(CAS-No.) 8030-01-1	2
Wintergreen Oil	(CAS-No.) 68917-75-9	37
Mineral oil, white	(CAS-No.) 8042-47-5	40
Vanillin	(CAS-No.) 121-33-5	3
Other ingredients	(CAS-No.) N/A	Balance

SECTION 4: First-aid measures

4.1. Description of first aid measures

First-aid measures general

Call a physician immediately.

First-aid measures after inhalation

IF INHALED: Remove person to fresh air and keep comfortable for breathing. Call a POISON CENTER or doctor/physician if you feel unwell.

First-aid measures after skin contact

IF ON SKIN: Wash with plenty of soap and water. Wash skin with plenty of water. Take off contaminated clothing. If skin irritation or rash occurs: Get medical advice/attention.

First-aid measures after eye contact

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Call a physician immediately. If eye irritation persists: Get medical advice and attention.

First-aid measures after ingestion

IF SWALLOWED: Call a POISON CENTER or doctor/physician if you feel unwell. Rinse mouth. Call a physician immediately. Do NOT induce vomiting unless directed to do so by medical personnel.

4.2. Most important symptoms and effects (acute and delayed)

Symptoms/effects

May cause drowsiness or dizziness.

Symptoms/effects after skin contact

Irritation. May cause an allergic skin reaction.

Symptoms/effects after eye contact

Serious damage to eyes.

Symptoms/effects after ingestion

Aspiration Hazard - may be fatal if swallowed and enters airways. Harmful if swallowed.

Chronic symptoms

May damage fertility or the unborn child.

4.3. Immediate medical attention and special treatment, if necessary

Treat symptomatically.

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SECTION 5: Fire-fighting measures

5.1. Suitable (and unsuitable) extinguishing media

- Suitable extinguishing media : Dry powder. Foam. Carbon dioxide.
- Unsuitable extinguishing media : Do not use water. May spread fire.

5.2. Specific hazards arising from the chemical

- Fire hazard : Combustible liquid. Containers may explode when heated. Liquid will float and may re-ignite on surface of water.
- Reactivity : The product is non-reactive under normal conditions of use, storage and transport.

5.3. Special protective equipment and precautions for fire-fighters

- Firefighting instructions : Do not allow fire fighting water to escape into waterways or sewers. Eliminate all ignition sources if safe to do so. Do not use direct stream of water. A direct stream of water may spread fire. Ventilate closed spaces before entering. Do not breathe gas/fumes/vapor/spray.
- Protection during firefighting : Do not attempt to take action without suitable protective equipment. Self-contained breathing apparatus. Complete protective clothing.

SECTION 6: Accidental release measures

6.1. Personal precautions, protective equipment and emergency procedures

6.1.1. For non-emergency personnel

- Emergency procedures : No open flames, no sparks, and no smoking. Only qualified personnel equipped with suitable protective equipment may intervene. Avoid breathing dust/fume/gas/mist/vapors/spray.

6.1.2. For emergency responders

- Protective equipment : Do not attempt to take action without suitable protective equipment. For further information refer to section 8: Exposure controls/personal protection.
- Emergency procedures : ELIMINATE all ignition sources (no smoking, flares, sparks or flames in immediate area). Evacuate unnecessary personnel. Stop leak if safe to do so. Ventilate area.

6.2. Environmental precautions

Avoid release to the environment.

6.3. Methods and material for containment and cleaning up

- Methods for cleaning up : Absorb spills with an inert material, clay granules or other inert absorbent material and put in container for disposal. Wear appropriate personal protective equipment, avoid direct contact.

SECTION 7: Handling and storage

7.1. Precautions for safe handling

- Precautions for safe handling : Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking. Wear personal protective equipment. Do not handle until all safety precautions have been read and understood. Use only outdoors or in a well-ventilated area. Avoid breathing dust/fume/gas/mist/vapors/spray. Avoid contact with skin and eyes.
- Hygiene measures : Separate working clothes from town clothes. Launder separately. Wash contaminated clothing before reuse. Contaminated work clothing should not be allowed out of the workplace. Do not eat, drink or smoke when using this product. Always wash hands after handling the product.

7.2. Conditions for safe storage, including any incompatibilities

- Storage conditions : Store in a well-ventilated place. Keep cool. Store locked up. Keep container tightly closed. Keep from freezing. Protect from sunlight. Do not expose to temperatures exceeding 50 °C/122 °F.
- Incompatible materials : Heat, sparks, open flame. Strong oxidizers.

SECTION 8: Exposure controls/personal protection

8.1. Control parameters

Mineral oil, white (8042-47-5)		
ACGIH	ACGIH TWA (mg/m³)	5 mg/m³
ACGIH	ACGIH STEL (mg/m³)	10 mg/m³
OSHA	OSHA PEL (TWA) (mg/m³)	5 mg/m³
Vanillin (121-33-5)		
AIHA	WEEL TWA (mg/m³)	10 mg/m³

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8.2. Appropriate engineering controls

Appropriate engineering controls : Adequate ventilation systems as needed to control concentrations of airborne contaminants below applicable threshold limit values.

Environmental exposure controls : Avoid release to the environment.

8.3. Individual protection measures/Personal protective equipment

Hand protection:

Wear chemically resistant protective gloves.

Eye protection:

Chemical goggles or face shield

Skin and body protection:

It is recommended for handlers to wear appropriate clothing to prevent skin contact including long sleeves, long pants, socks and shoes.

Respiratory protection:

In case of insufficient ventilation, use NIOSH approved respiratory protection.



SECTION 9: Physical and chemical properties

9.1. Information on basic physical and chemical properties

Physical state	: Liquid
Appearance	: Clear, light brown liquid
Color	: Light brown
Odor	: Faint, mint-like
Odor threshold	: No data available
pH	: No data available
Melting point	: Not applicable
Freezing point	: No data available
Boiling point	: No data available
Flash point	: 145 °F (62.8 °C)
Relative evaporation rate (butyl acetate=1)	: No data available
Flammability (solid, gas)	: Not applicable
Vapor pressure	: No data available
Relative vapor density at 20 °C	: No data available
Relative density	: 0.985 g/ml
Solubility	: Insoluble
Log Pow	: No data available
Auto-ignition temperature	: No data available
Decomposition temperature	: No data available
Viscosity, kinematic	: No data available
Viscosity, dynamic	: No data available
Explosion limits	: No data available
Explosive properties	: Not explosive
Oxidizing properties	: Not applicable

9.2. Other information

No additional information available

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SECTION 10: Stability and reactivity

10.1. Reactivity

The product is non-reactive under normal conditions of use, storage and transport.

10.2. Chemical stability

Stable under normal conditions.

10.3. Possibility of hazardous reactions

No dangerous reactions known under normal conditions of use.

10.4. Conditions to avoid

Avoid contact with hot surfaces. Excessive heat > 110° F. Keep away from fire. No flames, no sparks. Eliminate all sources of ignition. Direct sunlight. Do not freeze.

10.5. Incompatible materials

Strong oxidizing agents.

10.6. Hazardous decomposition products

Under normal conditions of storage and use, hazardous decomposition products should not be produced. May decompose upon heating to produce toxic vapors/gases.

SECTION 11: Toxicological information

11.1. Information on toxicological effects

Essentria IC3 Insect Concentrate	
ATE (Oral)	1841 mg/kg body weight
Rosemary oil (8000-25-7)	
LD50 oral rat	> 5000 mg/kg
LD50 dermal rabbit	> 10000 mg/kg
LC50 inhalation rat (mg/l)	(No data available)
Geraniol (106-24-1)	
LD50 oral rat	3600 mg/kg
LD50 dermal rabbit	> 5000 mg/kg
LC50 inhalation rat (mg/l)	(No data available)
Wintergreen Oil (68917-75-9)	
LD50 oral rat	887 mg/kg
LD50 dermal	(No data available)
LC50 inhalation rat (mg/l)	(No data available)
Mineral oil, white (8042-47-5)	
LD50 oral rat	> 5000 mg/kg
LD50 dermal	> 2000 mg/kg
LC50 inhalation rat (mg/l)	> 5 mg/l/4h
Vanillin (121-33-5)	
LD50 oral rat	1580 mg/kg
LD50 dermal rabbit	> 5010 mg/kg
LD50 dermal	(No data available)

GHS-US Properties	Classification
Acute toxicity	Oral: Harmful if swallowed.
Skin corrosion/irritation	Causes skin irritation.
Serious eye damage/irritation	Causes serious eye damage.
Respiratory or skin sensitization	May cause an allergic skin reaction.
Germ cells mutagen	Not classified
Carcinogenicity	Not classified
Reproductive toxicity	May damage fertility or the unborn child.
Specific target organ toxicant (single exposure)	May cause drowsiness or dizziness.
Specific target organ toxicant (repeated exposure)	Not classified
Aspiration hazard	May be fatal if swallowed and enters airways.

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Potential health effects

Inhalation

Acute : May cause drowsiness and dizziness.

Skin

Acute : May cause an allergic reaction in individuals with a sensitivity to Wintergreen oil or Geraniol, Causes skin irritation.

Eye

Acute : May cause serious eye damage.

Ingestion

Acute : Aspiration hazard - small amounts of liquid aspirated into the lungs during ingestion or from vomiting may cause chemical pneumonitis or pulmonary edema, Harmful if swallowed.

Reproductive Effects : Wintergreen causes birth defects and effects on reproduction.

SECTION 12: Ecological information

12.1. Toxicity

No additional information available

12.2. Persistence and degradability

No additional information available

12.3. Bioaccumulative potential

No additional information available

12.4. Mobility in soil

No additional information available

12.5. Other adverse effects

No additional information available

SECTION 13: Disposal considerations

13.1. Disposal methods

Product/Packaging disposal recommendations : Dispose of content and/or container in accordance with local, regional, national, and/or international regulations.

SECTION 14: Transport information

	UN number	Proper Shipping Name	Transport hazard class(es)	Packing group	Environmental hazards
DOT	Not regulated	Not regulated	Not regulated	Not regulated	Not regulated
IMDG	Not regulated	Not regulated	Not regulated	Not regulated	Not regulated
IATA	UN3334	Aviation regulated liquid, n.o.s. (rosemary oil)	9	III	Not applicable

SECTION 15: Regulatory information

15.1. US Federal regulations

Rosemary oil (8000-25-7)

Listed on the United States TSCA (Toxic Substances Control Act) inventory

Geraniol (106-24-1)

Listed on the United States TSCA (Toxic Substances Control Act) inventory

Essentria IC3 Insect Concentrate

Safety Data Sheet

Wintergreen Oil (68917-75-9)

Listed on the United States TSCA (Toxic Substances Control Act) inventory

Mineral oil, white (8042-47-5)

Listed on the United States TSCA (Toxic Substances Control Act) inventory

Vanillin (121-33-5)

Listed on the United States TSCA (Toxic Substances Control Act) inventory

15.2. US State regulations

No additional information available

SECTION 16: Other information

Date of issue	: 26 January 2015
Revision date	: 18 January 2018
Supersedes	: 08 December 2017

Indication of changes:

Revised Sec. 1. Revised Sec. 3.

SDS US (GHS HazCom 2012) - CGP

The information and statements herein are believed to be reliable but are not to be construed as a warranty or representation for which we assume legal responsibility. Users should undertake sufficient verification and testing to determine the suitability for their own particular purpose of any information or products referred to herein. NO WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE IS MADE.

Fendona™ CS

Controlled Release Insecticide

Smart Solutions Facts

Facts on this product include:

- A microencapsulated concentrate utilizing **SmartCap™ Technology**
- Only for use in non-food/feed areas of food/feed handling establishments.
- Broad use sites on label
- Tested on a broad range of surfaces to ensure minimal chance of any staining
- Ideally suited for both maintenance and clean-out spray programs
- Label flexibility to allow treatment of structural, lawn, and ornamental pests

KILLS: Ants, Aphids, Armyworms, Asian Lady Beetles, Bagworms, Bed Bugs, Bed Bug Eggs, Bees, Beetles, Billbugs (adults), Boxelder Bugs, Brown Marmorated Stinkbugs, Cadelles, Carpenter Ants, Carpenter Bees, Carpet Beetles, Caterpillars, Cheese Mites, Chiggers, Chinch Bugs, Chocolate Moths, Cigarette Beetles, Clothes Moths, Clover Mites, Cluster Flies, Cockroaches, Crickets, Cutworms, Darkling Beetles, Dermestids, Drugstore Beetles, Drywood Termites*, Earwigs, Elm Leaf Beetles, Fire Ants (foragers), Firebrats, Fleas, Flour Beetles, Fruit Flies (*Drosophila*), Fruitworms, Grain Weevils, Grasshoppers, Harvester Ants (foragers), Hide Beetles, House Flies, Indian Meal Moths, Japanese Beetles (adults), Kudzu Bugs, Lace Bugs, Larder Beetles, Leafrollers, Lesser Grain Borers, Lesser Mealworms, Litter Beetles, Loopers, Mealy Bugs, Mediterranean Flour Moths, Merchant Grain Beetles, Mealworms, Millipedes, Mosquitoes, Pharaoh Ants (foragers), Pillbugs, Plant Bugs, Psocids, Psylla, Rice Weevils, Sawtoothed Grain Beetles, Scale Insects, Silverfish, Sod Webworms, Southern Fire Ants (foragers), Sowbugs, Spiders (including Black Widow and Brown Recluse), Springtails, Tent Caterpillars, Thrips, Ticks, Warehouse Beetles, Whiteflies, Wood Wasps, and Wood Infesting Beetles and Borers

*Not a substitute for mechanical alteration, soil treatment, or foundation treatment.

FOR USE IN AND AROUND:* Commercial, Industrial, and Residential Areas and Buildings [Agricultural Buildings; Airports; Animal Confinement Buildings and Pens; Apartments; Cafeterias; Calf Hutches; Calving Pens and Parlors; Campgrounds; Chicken Houses (empty); Churches; Commercial Buildings; Convenience Stores; Cruise Ships; Dairy Areas; Dairy Parlors; Day Care Centers; Dog Kennels; Egg Laying Facilities; Food Handling Facilities; Food Processing Plants; Food Storage Areas; Food Vendors; Garbage Receptacles and Corrals; Golf Courses; Grain Mills; Granaries; Health Care Facilities; Hog Barns; Homes; Horse Barns and Arenas; Hospitals; Hotels; Industrial Buildings; Landscapes; Lawns; Libraries; Malls; Meat Packing Plants; Milkrooms; Motels; Museums; Nursing Homes; Ornamental Plants; Outdoor Living Areas; Poultry Houses; Rabbit Hutches; Recreational Areas; Resorts, Restaurants and other Food Handling Establishments; Schools; Supermarkets; Terminals; Theme Parks; Trailers; Transportation Equipment (Buses, Boats, Ships, Trains, Trucks, and Planes – cargo areas only); Utilities; Washrooms; and Warehouses]

*Not for use in food/feed areas of food/feed handling establishments.

ACTIVE INGREDIENT:

alpha-Cypermethrin: mixture of

(S)- α -cyano-3-phenoxybenzyl (1R,3R)-3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate
and

(R)- α -cyano-3-phenoxybenzyl (1S,3S)-3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate 3.0%

OTHER INGREDIENTS: 97.0%

TOTAL: 100.0%

EPA Reg. No. 499-570

EPA Est. No.

**KEEP OUT OF REACH OF CHILDREN
CAUTION/PRECAUCION**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

Refer to full label for **First Aid, Precautionary Statements, Directions For Use, Conditions of Sale and Warranty**, and state-specific use site restrictions.

**In case of an emergency endangering life or property involving this product,
call day or night 1-800-832-HELP (4357).**

NET CONTENTS:

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709

 **BASF**
We create chemistry

FIRST AID	
If in eyes	• Hold eyes open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes; then continue rinsing eyes. • Call a poison control center or doctor for treatment advice.
HOTLINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).	

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear long-sleeved shirt and long pants, socks, shoes, and gloves.

Environmental Hazards

This product is extremely toxic to fish and aquatic invertebrates, oysters, and shrimp. **DO NOT** apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. **DO NOT** apply this product or allow it to drift to blooming crops if bees are foraging in the treatment area.

To protect the environment, **DO NOT** allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid runoff to water bodies or drainage systems.

Directions For Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Use Restrictions

- **DO NOT** apply water-based sprays of this product to conduits, motor housing, junction and switch boxes, or other electrical equipment because of possible shock hazard. **DO NOT** spray where electrical short circuits might result, such as wall outlets, conduits, etc.
- **DO NOT** apply to humans, their clothing, or bedding.
- **DO NOT** allow children or pets to contact treated surfaces until spray has dried.
- **DO NOT** use on household pets. Cover fish tanks prior to application.
- **DO NOT** apply this product in patient rooms while occupied or in any rooms while occupied by the elderly or infirm.

- **DO NOT** apply to classrooms when in use.
- **DO NOT** contaminate food, feedstuffs, or water supply. **DO NOT** contaminate food preparation surfaces, kitchen utensils, dishes, or food storage containers. Cover any food/feed contact surfaces and cooking utensils in the treatment area during treatment or thoroughly clean before using.
- **DO NOT** use in food/feed areas of food/feed handling establishments, restaurants, or other areas where food/feed is commercially prepared or processed (see **Product Information** section for additional information).
- **DO NOT** use in outdoor residential misting systems.
- **DO NOT** apply this product through any type of irrigation system.
- **DO NOT** make outdoor applications during rain.
- **DO NOT** water the treated area to the point of runoff.
- **DO NOT** apply directly to impervious horizontal surfaces such as sidewalks, driveways, and patios except as a spot or **Crack & Crevice**® treatment. During application, **DO NOT** allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters.
- All outdoor applications, if permitted elsewhere on this label, must be limited to spot or **Crack & Crevice** treatments only, except for the following permitted uses, if allowed elsewhere on this label:
 1. Applications to soil or vegetation, as listed on this label, around structures;
 2. Applications to lawns, turf, and other vegetation, as listed on this label;
 3. Applications to the side of a building, up to a maximum height of 3 feet above grade;
 4. Applications to the underside of eaves, soffits, doors, or windows permanently protected from rainfall by a covering, overhang, awning, or other structure;
 5. Applications around potential pest entry points into buildings, when limited to a surface band not to exceed 1 inch in width;
 6. Applications made through the use of a coarse, low pressure spray to only those portions of surfaces that are directly above bare soil, lawn, turf, mulch, or other vegetation, as listed on this label, and not over an impervious surface, drainage, or other condition that could result in runoff into storm drains, drainage ditches, gutters, or surface waters, in order to control occasional invaders or aggregating pests.

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

Pesticide Storage

Store in original container in secured dry storage area. Prevent cross-contamination with other pesticides or fertilizers. **DO NOT** store above 122°F for extended periods of time. Preferred storage is above 32°F. Storage below 32°F may result in solidification. If warmed to above 32°F, product will return to original form. Freezing does not adversely affect this product. If container is damaged or spill occurs, use product immediately or dispose of product and damaged container as indicated below.

Pesticide Disposal

Wastes resulting from the use of this product may be disposed of on-site or at an approved waste disposal facility. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representatives at the nearest EPA Regional Office for guidance.

Container Handling

Nonrefillable Container. DO NOT reuse or refill this container. Empty container by using the product according to the label directions. Triple rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse containers small enough to shake (capacity ≤ 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Triple rinse containers too large to shake (capacity > 5 gallons) as follows: Empty remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Product Information

This product is a concentrate of microencapsulated alpha-cypermethrin containing 0.25 pound of alpha-cypermethrin per gallon. From the testing done, one would not expect any surface which is not damaged by water to be damaged by this product, but it is best to check before applying to a new surface. Heavy applications may leave a visible deposit. On some surfaces, this deposit can be removed with a damp cloth or sponge. Dispose of cloth or sponge in trash.

In situations where conventional application methods have not or are not likely to provide adequate coverage, foam generating equipment or similar machines can be used to provide a continuous coverage. Use drier foam inside wall voids to avoid any water damage or electrical short circuits. Refer to section entitled **Foam Application Use**

Directions.

Reapplication Interval

Reapply as necessary, but not more than twice per week. Applications must be at least 3 days apart.

Mixing Instructions

Thoroughly clean spray equipment before using. Shake concentrate well before diluting. When diluting, first add approximately 1/2 of the water to the spray tank and then add the proper amount of concentrate. When emptying the bottles, triple rinse with water, shake well, and add the rinsate to the spray tank. Add the rest of the water and agitate the sprayer thoroughly. Agitate sprayer occasionally during use to ensure even mixture. Shake or reagituate sprayer if spraying is interrupted or if dilution is left in sprayer overnight. If spray screens are used, they should be 50 mesh or larger.

Spray Dilution Chart

Amount of Finished Spray (gallons)	0.025% Spray Concentrate (fluid ounces)	0.050% Spray Concentrate (fluid ounces)
1	1.0	2.0
3	3.0	6.0
5	5.0	10.0
10	10.0	20.0

Use the higher rate for clean-outs, longer residual control, or for high insect infestations.

Void/Crack & Crevice® Application

To treat insects harbored in cracks, crevices, and voids, apply with equipment designed for void applications. Follow the manufacturer's recommendations for proper equipment set-up and operating pressures. Place the tip of the applicator at or into the crack or crevice to be treated. Apply product in short bursts while keeping tip in position. Allow the air stream to push insecticide deep into voids if one exists on the equipment. Apply in such a manner to limit dripping and runoff on structural surfaces and plants.

Spot Application

Apply at the rate of 1 second per 2 square feet or to the point of runoff. Direct nozzle approximately 12 inches from surface to be treated. Apply directly on insects in these locations when possible. Limit individual spot treatments to 2 square feet.

Residual Control

- 90 days for fire ants on painted wood, unpainted wood, and ceramic tile
- 59 days for mosquitoes at 0.050% rate on leaf surfaces
- 30 days for mosquitoes at 0.025% rate on leaf surfaces

For applications to non-food/feed handling and service areas of food/feed handling establishments:

DO NOT apply when food is present. **DO NOT** use in food areas of food handling establishments, restaurants, or other areas where food is commercially prepared or processed. **DO NOT** use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served, such as dining rooms, but excluding areas where foods may be prepared or held.

Applications may be made in non food/feed areas such as garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage areas (after packaging, canning, or bottling).

In the home, cover or remove exposed food prior to application. Cover food processing surfaces and utensils in the treatment area prior to application or wash thoroughly before use.

Apply as a **Crack & Crevice**®, void, spot, or general surface application to selective surfaces such as baseboards, under elements of construction, shelving, machinery, storage areas, and other areas where listed pests may be harboring, traveling, breeding, or entering the structure.

Indoor Applications

Dilute concentrate to 0.025% or 0.050% with water using the spray dilution chart.

Use as a **Crack & Crevice** residual product where insects may be hiding, living, and breeding and/or for selected spot application.

Cheese Mites, Cockroaches, Crickets, Dermestids, Earwigs, Firebrats, Millipedes, Psocids, Silverfish, Sowbugs, and Spiders (including Black Widow and Brown Recluse)

Make spot treatment and/or **Crack & Crevice** injections into hiding places such as cracks and crevices, void areas, moist areas, openings around pipes and sinks, and under refrigerators and shelves.

Flies (Fruit and House)

Make spot applications on surfaces where flies rest in the dark at night or frequent during the day, such as window frames, screens, trash cans, ceilings, and upper wall surfaces.

Carpet Beetles, Dermestids, and Clothes Moths

Treat along edges of carpet, under carpet edge, furniture, throw rugs, and as a **Crack & Crevice** and spot application in closets and other shelving where infested items are stored. **DO NOT** treat clothing with this product.

Bed Bugs and Bed Bug Eggs

Apply to cracks and crevices where evidence of bed bugs occurs. This includes bed frames, box springs, inside empty dressers and clothes closets, carpet edges, high and low wall moldings, and wallpaper edges. **DO NOT** use this product on mattresses, pillows, bed linens, or clothes. Remove all clothes and other articles from dressers or clothes closets before application. Allow all treated areas to dry thoroughly before use. Not recommended for use as sole protection against bed bugs. If evidence of bed bugs is found in/on mattresses, use a product approved for this use. For bed bug eggs, use the 0.050% rate.

Ticks

Apply as a spot and/or **Crack & Crevice** treatment in infested and egg laying areas such as pet resting quarters, nearby cracks and crevices, behind baseboards, doors, and window frames. Replace pet's old bedding with clean fresh bedding after treatment. **DO NOT** treat pets with this product.

Ants (including foraging Pharaoh)

Inject cracks, crevices, and voids where ants may be traveling and/or harboring, including, but not limited to, around doors, window frames, and other structural cracks, crevices, and voids. Spot treatment of trails and feeding areas may also be made.

Stored Product Pests (Exposed Adult and Immature Stages)

Before storing products, treat warehouses, production facilities, storage areas, rail cars, truck beds, and other areas where products are stored. Apply as a spot and/or **Crack & Crevice** treatment to cracks, crevices, and surfaces where pests have been seen or may have harborage. This product may be used to treat grain storage facilities and other listed areas for stored product pest control. Cleaning areas prior to use of this product will increase levels of control. Remove and destroy any foodstuffs infested with pests.

Foam Application Use Directions

This product can be converted to a foam and the foam used to treat structural voids to control insect and arthropod pests in walls, under slabs, or in other void areas. Apply as a dry foam (approximately 25:1). Fill void with foam so that all surfaces are contacted. Mix end-use dilution with manufacturer's recommended volume of foaming agent. Use the specified rate suspension converted to a foam to achieve the desired foam expansion ratios. Verify before treatment that the foaming agent is compatible with this product.

Indoor and Outdoor Applications

Select one of the following dilutions, 0.025% or 0.050% for pests listed below unless otherwise noted.

Active and Hibernating Stages of Asian Lady Beetles, Boxelder Bugs, Clover Mites, Cluster Flies, and Elm Leaf Beetles

As a preventative or remedial treatment, inject cracks, crevices and/or voids where these pests are or may harbor or hibernate. Infested areas include, but are not limited to, cracks and crevices in weep holes, wall voids, around window and door frames, and under siding. Treat wall area around entry points on exterior where pests congregate.

Carpenter Ants and Foraging, Harvester and Southern Fire Ants

Make spot, **Crack & Crevice**® or foam applications to any trails, inside or outside around doors and windows, and other places where ants enter premises, including atriums, crawl spaces, ceilings, garages, soffits, wall voids, weep holes, and other void areas. Where possible, treat ant nests or infested wood directly.

Bees

As a preventative or remedial treatment to help prevent these insects from building nests or workers from congregating on structures, follow perimeter application directions under **Outdoor Applications** section of label. Pay particular attention to soffit and eave areas.

For treatment of nests inside wall voids, inject into the nest sufficient quantity to treat the complete nest. More than one point of application maybe required. Most applications should require no more than 1/2 gallon of diluted material. Pay particular attention to what the water may contact such as electrical wiring. **DO NOT** use where there is a shock hazard.

THIS PRODUCT DOES NOT PROVIDE INSTANT KNOCKDOWN. THE BEST TIME TO TREAT IS LATE IN THE DAY. COLONY SHOULD BE DEAD IN TWO TO THREE DAYS. DEPENDING ON THE SITUATION, PROTECTIVE EQUIPMENT FOR THE APPLICATOR MAY BE REQUIRED.

Localized Treatment of Wood-Infesting Insects - Beetles and Borers (such families as *Anobiidae*, *Bostrichidae*, *Buprestidae*, *Cerambycidae*, *Lyctidae*, *Oedemeridae*, and *Sesiidae*)

Locate suspected infestation and/or insect tunnels and cavities. Drill pilot holes into insect tunnels, galleries, and inaccessible closed voids. Drill holes 8 to 10 inches apart to ensure thorough coverage. Inject 5 to 10 seconds per hole or until coverage is obtained or product runs out an opening. **DO NOT** contact electrical wiring, plumbing, etc. Use the 0.025% or 0.050% rate. For beetles and borers, spot surface treatments may also be made.

Drywood Termites

This treatment is intended to kill drywood termites on contact only. The purpose of such applications is to kill workers or winged reproductive forms which may be present in the treated channels or on surfaces at the time of treatment. Treatment of exposed surfaces should be done to cover thoroughly but excess runoff should be avoided. Such applications are not a substitute for mechanical alteration, soil treatment, or foundation treatment.

Outdoor Applications

KILLS: Ants, Asian Lady Beetles, Boxelder Bugs, Brown Marmorated Stink Bugs, Carpenter Ants, Carpenter Bees, Carpet Beetles, Clover Mites, Cluster Flies, Cockroaches, Crickets, Dermestids, Earwigs, Elm Leaf Beetles, Fire Ants, Fleas, Grasshoppers, House Flies, Kudzu Bugs, Millipedes, Mosquitoes, Psocids, Sowbugs, Spiders (including Black Widow and Brown Recluse), and Ticks

This product may be used as a residual treatment on outdoor surfaces and/or as a crack, crevice, and void treatment of buildings, porches, window frames, eaves, patios, garages, garbage dumps, and other areas where pests are or may congregate or enter premises. Use the 0.025% or 0.050% rate unless otherwise noted.

This product can be used to control pests in outdoor void areas such as meter boxes and manholes. Use the 0.025% or 0.050% rate unless otherwise noted.

Perimeter Treatment

To help prevent or remediate infestations around buildings, treat a band of soil 6 to 10 feet wide around and adjacent to the building. Also treat the building foundation to a height of 2 to 3 feet where pests are active and may find entrance. Treat other insect entry points such as doors; windows; under siding, decks, and eaves of structure. This product may be applied in compressed air, backpack, or power spray equipment. An application rate of 0.5 to 1.0 fluid ounce concentrate per 1,000 square feet is desirable. Apply in a sufficient amount of water to adequately cover the area being treated. Application should be made in such a manner to limit dripping and runoff on structural surfaces and plants. Alternate directions are to use 4 to 8 fluid ounces per 50 gallons of water.

Suggested Mixing Chart for Larger Tank Sizes	
Tank Size (gallons)	Suggest Amount of Concentrate per Tank (fluid ounces)
15	1.5 to 2.5
25	2.0 to 4.0
50	4.0 to 8.0
100	8.0 to 16.0

House Flies

Treat outside surfaces of screens, doors, window frames, or wherever flies enter. Also treat surfaces on porches, in garages, and other places where insects alight or congregate. Reapply as necessary, but not more than twice per week. Applications must be at least 3 days apart. Treat normal fly resting areas such as ceilings, upper corners of the area, around windows and doors, and other surfaces. Treat inside and outside surfaces of dumpsters and other trash holding containers. Treat trash storage areas. Apply so as to lightly moisten the target surface. For best results, begin treatments at the start of the fly season and repeat during periods of heavy fly activity.

Mosquitoes

Not for use in wide area local, state, or federal mosquito control programs. To control adult mosquitoes, use hand-held, back-pack, or truck mounted sprayers only. Not for use with truck mounted cold aerosol ULV sprayers, hand-held cold aerosol ULV sprayers or thermal fogging devices.

DO NOT apply by aircraft. **DO NOT** apply through any kind of irrigation and/or lawn sprinkler systems. Use up to 100 gallons of diluted spray per acre. Treat shrubbery, vegetation, and other areas where mosquitoes may rest. Shrubby and vegetation around stagnant pools, marshy areas, ponds, and shorelines may be treated if applied as a wet spray. Apply only to the point of runoff. Direct application of this product to any body of water is prohibited.

Carpenter Bees

Locate entrance holes. Treat galleries through entrance holes. Seal bee entrances after application.

Crawling Insects - including Ants, Cockroaches, Crickets, Earwigs, and Sowbugs

For prevention or application of current infestations of these insects in outdoor areas which are landscaped, planted, mulched, or unmaintained. For ants, treat mounds and runways. Repeat applications as infestation warrants and as reinfestations occur, but not more than twice per week.

Applications must be at least 3 days apart. Apply to cracks and crevices where insects may enter premises. Areas to be treated include weep holes; under siding; wall voids; soffits; around attic vents; cracks and crevices; and openings around windows, doors, and pipes. Treatment of infested fences and tree holes is permitted.

Fleas

Treat infested areas. This product will kill fleas on contact but does not provide residual control.

Lawn and Ornamental Plants

For Use Indoors and Outdoors: Golf Courses, Hobby Greenhouses, Interiorscapes, Landscapes, and Lawns

Not for use in commercial greenhouses or nurseries.

KILLS: Ants, Aphids, Armyworms, Bagworms, Bees, Beetles, Billbugs (adults), Boxelder Bugs, Caterpillars, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Earwigs, Fire Ants, Firebrats, Fruitworms, Grasshoppers, House Flies, Japanese Beetle (adults), Lace Bugs, Leafrollers, Loopers, Mealy Bugs, Millipedes, Mosquitoes, Pillbugs, Plant Bugs, Psylla, Scale Insects, Sod Webworms, Sowbugs, Spiders (including Black Widow and Brown Recluse), Tent Caterpillars, Thrips, and Ticks

For trees, shrubs, foliage plants, and flowers in outdoor landscaped areas (such as parks, recreational areas, athletic fields, institutional groups, etc.) and internal plantscaped areas (such as in hotels, shopping malls, office buildings, etc.) where these plants are grown. This product also controls designated pests in lawns and can also be used in areas adjacent to or at the edge of landscaped areas to control encroaching pests. Apply specified rate, at

lawn use dosage, to tall grass or weeds, under brush and trees, or in areas of no maintenance. Follow all restrictions and precautions in other parts of this label.

Ornamentals

Treat upper and lower foliage surfaces of plants uniformly. Use 4 to 6 fluid ounces per 100 gallons of water.

Lawns

Use a coarse, low-pressure spray using suitable application equipment. Use 0.5 to 1.0 fluid ounce per 1,000 square feet.

Special Notice: This product has demonstrated excellent plant safety; however, all varieties of the plants listed have not been tested. When treating large numbers of plants of a single variety, treat a few plants and observe for phytotoxicity prior to full scale application.

Direct treatment to some open blooms may cause petal drop.

For Use Indoors and Outdoors On:

Bedding plants (including): Dahlia, Garden Mums, Geraniums, Impatiens, Marigolds, New Guinea Impatiens, Petunias, and Verbena

Cut flowers (including): Carnations, Chrysanthemums, Orchids, Roses, and Snapdragons

Flowering hanging baskets (including): Fuchsia and Lantana

Foliage (including): Boston Fern, Dracaena, Ficus, Philodendron, and Schefflera

Potted flowering plants (including): African Violets, Begonias, Calceolaria, Chrysanthemums, Cineraria, Cyclamen, Exacum, Florist's Azaleas, Geraniums, Gloxinia, Hibiscus, Lilies, Kalanchoes, and Poinsettia

Trees and shrubs (including): Azalea, Barberry, Cotoneaster, Euonymus, Holly, Ivy, Juniper, Oak, Pine, Rhododendron, Roses, Spiraea, Spruce, Virburnum, and Yew

DO NOT treat vegetable gardens.

Livestock Housing

May be used in and on outside surfaces of outer buildings.

DO NOT apply to lactating or food animals. **DO NOT** contaminate milk, food, or drinking water. Remove all animals prior to making applications to housing. **DO NOT** apply or allow insecticide to drift onto animals. **DO NOT** allow animals to enter treated areas until surfaces are dry.

House Flies

For residual control of these pests on outdoor surfaces and in animal areas such as dog kennels, hog barns, horse barns, empty chicken houses, rabbit hutches, dairy areas, milkrooms, calf hutches, calving pens and parlors: Treat normal fly resting areas such as ceilings, screens, upper corners of the area, around windows and doors, light fixtures, and other surfaces known to attract flies. Apply as a

coarse, wet spray. Using a mixture of 1 fluid ounce of concentrate per gallon of water, apply at a rate of 1 gallon diluted product per 1,000 square feet of surface. For best management practices, initiate treatments at the beginning of the fly season and repeat during periods of heavy fly activity, but not more than twice per week. Applications must be at least 3 days apart.

Darkling Beetles

Treat the litter paying particular attention to the areas under the feeder line, water line, and the perimeter. Use 2 to 5 fluid ounces per 1,000 square feet in an adequate amount of water to provide good coverage.

Perimeter Treatment

For control of other listed pests and to help prevent infestations of buildings, treat a band of soil 6 to 10 feet wide around and adjacent to the building. Also treat the building foundation and sides where pests are active and may find entrance. Treat other insect entry points such as doors, windows, under siding, and eaves of structure. This product may be applied in compressed air, backpack, or power spray equipment. Apply at the rate of 1.0 fluid ounce concentrate per 1,000 square feet. Apply in sufficient water to adequately cover the area being treated. Apply in such a manner to limit dripping and runoff on structural surfaces and plants.

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as environmental conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer. BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW: (A) BASF MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY, (B) BUYER'S EXCLUSIVE REMEDY AND BASF'S AND SELLER'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT, AND (C) BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.** BASF and the Seller offer this product, and the Buyer and User accept it, subject to these Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

PCS915

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BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709



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1. Identification

Product identifier used on the label

FENDONA CS CR

Recommended use of the chemical and restriction on use

Recommended use*: insecticide

* The "Recommended use" identified for this product is provided solely to comply with a Federal requirement and is not part of the seller's published specification. The terms of this Safety Data Sheet (SDS) do not create or infer any warranty, express or implied, including by incorporation into or reference in the seller's sales agreement.

Details of the supplier of the safety data sheet

Company:

BASF CORPORATION
100 Park Avenue
Florham Park, NJ 07932, USA

Telephone: +1 973 245-6000

Emergency telephone number

CHEMTREC: 1-800-424-9300
BASF HOTLINE: 1-800-832-HELP (4357)

Other means of identification

Substance number:	819101
EPA Registration number:	499-570
Synonyms:	Alphacypermethrin

2. Hazards Identification

According to Regulation 2012 OSHA Hazard Communication Standard; 29 CFR Part 1910.1200

Label elements

The product does not require a hazard warning label in accordance with GHS criteria.

Hazards not otherwise classified

Labeling of special preparations (GHS):

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Persons already sensitised to diisocyanates may develop allergic reactions when using this product. Persons suffering from asthma, eczema or skin problems should avoid contact, including dermal contact, with this product. This product should not be used under conditions of poor ventilation unless a protective mask with an appropriate gas filter (i.e. type A1 according to standard EN 14387) is used. P-MDI
May cause paraesthesia. alpha-Cypermethrin

3. Composition / Information on Ingredients

According to Regulation 2012 OSHA Hazard Communication Standard; 29 CFR Part 1910.1200

<u>CAS Number</u>	<u>Weight %</u>	<u>Chemical name</u>
67375-30-8	3.0 %	alpha-Cypermethrin
77-92-9	0.1 - 1.0%	Citric acid
107-15-3	0.1 - 1.0%	ethylenediamine

4. First-Aid Measures

Description of first aid measures

General advice:

Remove contaminated clothing.

If inhaled:

Keep patient calm, remove to fresh air.

If on skin:

Wash thoroughly with soap and water.

If in eyes:

Wash affected eyes for at least 15 minutes under running water with eyelids held open.

If swallowed:

Rinse mouth and then drink plenty of water.

Most important symptoms and effects, both acute and delayed

Symptoms: The most important known symptoms and effects are described in the labelling (see section 2) and/or in section 11., Further important symptoms and effects are so far not known.

Indication of any immediate medical attention and special treatment needed

Note to physician

Treatment: Symptomatic treatment (decontamination, vital functions).

5. Fire-Fighting Measures

Extinguishing media

Suitable extinguishing media:
water spray, dry powder, foam, carbon dioxide

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Special hazards arising from the substance or mixture

Hazards during fire-fighting:

carbon monoxide, carbon dioxide, nitrogen oxides

The substances/groups of substances mentioned can be released in case of fire.

Advice for fire-fighters

Protective equipment for fire-fighting:

Wear self-contained breathing apparatus and chemical-protective clothing.

Further information:

Keep containers cool by spraying with water if exposed to fire. In case of fire and/or explosion do not breathe fumes. Collect contaminated extinguishing water separately, do not allow to reach sewage or effluent systems. Dispose of fire debris and contaminated extinguishing water in accordance with official regulations.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures

Do not breathe vapour/spray. Use personal protective clothing. Avoid contact with the skin, eyes and clothing.

Environmental precautions

Do not discharge into the subsoil/soil. Do not discharge into drains/surface waters/groundwater.

Methods and material for containment and cleaning up

For small amounts: Pick up with suitable absorbent material (e.g. sand, sawdust, general-purpose binder, kieselguhr).

For large amounts: Dike spillage. Pump off product.

Dispose of absorbed material in accordance with regulations. Collect waste in suitable containers, which can be labeled and sealed. Clean contaminated floors and objects thoroughly with water and detergents, observing environmental regulations.

7. Handling and Storage

Precautions for safe handling

No special measures necessary if stored and handled correctly. Ensure thorough ventilation of stores and work areas. When using do not eat, drink or smoke. Hands and/or face should be washed before breaks and at the end of the shift.

Protection against fire and explosion:

No special precautions necessary. The substance/product is non-combustible. Product is not explosive.

Conditions for safe storage, including any incompatibilities

Segregate from foods and animal feeds.

Further information on storage conditions: Keep away from heat. Protect from direct sunlight.

8. Exposure Controls/Personal Protection

Users of a pesticidal product should refer to the product label for personal protective equipment requirements.

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No occupational exposure limits known.

Personal protective equipment

RECOMMENDATIONS FOR MANUFACTURING, COMMERCIAL BLENDING, AND PACKAGING WORKERS:

Respiratory protection:

Respiratory protection not required.

Hand protection:

Chemical resistant protective gloves, Protective glove selection must be based on the user's assessment of the workplace hazards.

Eye protection:

Safety glasses with side-shields. Tightly fitting safety goggles (chemical goggles). Wear face shield if splashing hazard exists.

Body protection:

Body protection must be chosen depending on activity and possible exposure, e.g. head protection, apron, protective boots, chemical-protection suit.

General safety and hygiene measures:

The statements on personal protective equipment in the instructions for use apply when handling crop-protection agents in final-consumer packing. Wearing of closed work clothing is recommended. Store work clothing separately. Keep away from food, drink and animal feeding stuffs.

9. Physical and Chemical Properties

Form:	liquid
Odour:	odourless
Odour threshold:	not applicable, odour not perceivable
Colour:	opaque
pH value:	approx. 5 - 7 (22.7 °C)
Melting point:	The product has not been tested.
Boiling point:	approx. 100 °C Information applies to the solvent.
Flash point:	Non-flammable.
Flammability:	not applicable
Lower explosion limit:	As a result of our experience with this product and our knowledge of its composition we do not expect any hazard as long as the product is used appropriately and in accordance with the intended use.
Upper explosion limit:	As a result of our experience with this product and our knowledge of its composition we do not expect any hazard as long as the product is used appropriately and in accordance with the intended use.
Autoignition:	Based on the water content the product does not ignite.

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Vapour pressure:	approx. 23 hPa (20 °C)
Density:	Information applies to the solvent. approx. 0.97 g/cm3 (20 °C)
Vapour density:	not applicable
Partitioning coefficient n-octanol/water (log Pow):	not applicable
Thermal decomposition:	No decomposition if stored and handled as prescribed/indicated.
Viscosity, dynamic:	approx. 700 mPa.s (19.5 °C)
Solubility in water:	dispersible
Evaporation rate:	not applicable
Other Information:	The product has not been tested. The statement has been derived from substances/products of a similar structure or composition.

10. Stability and Reactivity

Reactivity

No hazardous reactions if stored and handled as prescribed/indicated.

Oxidizing properties:

Based on its structural properties the product is not classified as oxidizing.

Chemical stability

The product is stable if stored and handled as prescribed/indicated.

Possibility of hazardous reactions

No hazardous reactions if stored and handled as prescribed/indicated.

Conditions to avoid

See MSDS section 7 - Handling and storage.

Incompatible materials

strong acids, strong bases, strong oxidizing agents

Hazardous decomposition products

Decomposition products:

Hazardous decomposition products: No hazardous decomposition products if stored and handled as prescribed/indicated.

Thermal decomposition:

No decomposition if stored and handled as prescribed/indicated.

11. Toxicological information

Primary routes of exposure

Routes of entry for solids and liquids are ingestion and inhalation, but may include eye or skin contact. Routes of entry for gases include inhalation and eye contact. Skin contact may be a route of entry for liquefied gases.

Acute Toxicity/Effects

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Acute toxicity

Assessment of acute toxicity: Virtually nontoxic after a single skin contact. Virtually nontoxic after a single ingestion. Virtually nontoxic by inhalation. The product has not been tested. The statement has been derived from substances/products of a similar structure or composition.

Oral

Type of value: LD50
Species: rat (female)
Value: > 5,000 mg/kg (OECD Guideline 425)
No mortality was observed.

Inhalation

Type of value: LC50
Species: rat (male/female)
Value: > 5 mg/l (OECD Guideline 403)
An aerosol was tested.
No mortality was observed.

Dermal

Type of value: LD50
Species: rat (male/female)
Value: > 5,000 mg/kg (OECD Guideline 402)
No mortality was observed.

Assessment other acute effects

Assessment of STOT single:
Based on the available information there is no specific target organ toxicity to be expected after a single exposure.

The product has not been tested. The statement has been derived from the properties of the individual components.

Irritation / corrosion

Assessment of irritating effects: Not irritating to the skin. Not irritating to the eyes. The product has not been tested. The statement has been derived from substances/products of a similar structure or composition.

Skin

Species: rabbit
Result: non-irritant
Method: OECD Guideline 404

Eye

Species: rabbit
Result: non-irritant
Method: OECD Guideline 405

Sensitization

Assessment of sensitization: There is no evidence of a skin-sensitizing potential. The product has not been tested. The statement has been derived from substances/products of a similar structure or composition.

Buehler test

Species: guinea pig
Result: Non-sensitizing.
Method: OECD Guideline 406

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Chronic Toxicity/Effects

Repeated dose toxicity

Assessment of repeated dose toxicity: The product has not been tested. The statement has been derived from the properties of the individual components.

Information on: alpha-cypermethrin

Assessment of repeated dose toxicity: Repeated oral exposure may affect certain organs. Damages the peripheral nerve system.

Genetic toxicity

Assessment of mutagenicity: The product has not been tested. The statement has been derived from the properties of the individual components.

Information on: P-MDI

Assessment of mutagenicity: The substance was mutagenic in various test systems with microorganisms and cell cultures; however, these results could not be confirmed in tests with mammals.

Carcinogenicity

Assessment of carcinogenicity: The product has not been tested. The statement has been derived from the properties of the individual components.

Information on: P-MDI

Assessment of carcinogenicity: A carcinogenic potential cannot be excluded after prolonged exposure to severely irritating concentrations. These effects are not relevant to humans at occupational levels of exposure. IARC Group 3 (not classifiable as to human carcinogenicity).

Reproductive toxicity

Assessment of reproduction toxicity: The product has not been tested. The statement has been derived from the properties of the individual components. The results of animal studies gave no indication of a fertility impairing effect.

Teratogenicity

Assessment of teratogenicity: The product has not been tested. The statement has been derived from the properties of the individual components. Animal studies gave no indication of a developmental toxic effect at doses that were not toxic to the parental animals.

Other Information

Misuse can be harmful to health.

Symptoms of Exposure

The most important known symptoms and effects are described in the labelling (see section 2) and/or in section 11., Further important symptoms and effects are so far not known.

12. Ecological Information

Toxicity

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Aquatic toxicity

Assessment of aquatic toxicity:

Very toxic to aquatic life with long lasting effects.

The product has not been tested. The statement has been derived from the properties of the individual components.

Toxicity to fish

Information on: *alpha-cypermethrin*

LC50 (96 h) 0.00093 mg/l, *Pimephales promelas* (OPP 72-1 (EPA-Guideline), Flow through.)

Aquatic invertebrates

Information on: *alpha-cypermethrin*

EC50 (48 h) 0.0003 mg/l, *Daphnia magna* (OECD Guideline 202, part 1)

Aquatic plants

Information on: *alpha-cypermethrin*

EC50 (7 d) > 0.00139 mg/l (growth rate), *Lemna gibba* (OECD Guideline 201)

No observed effect concentration (7 d) > 0.00139 mg/l (growth rate), *Lemna gibba* (OECD guideline 221, static)

EC50 (72 h) > 0.027 mg/l (growth rate), *Anabaena flos-aquae* (OECD Guideline 201)

Persistence and degradability

Assessment biodegradation and elimination (H2O)

The product has not been tested. The statement has been derived from the properties of the individual components.

Assessment biodegradation and elimination (H2O)

Information on: *alpha-cypermethrin*

Not readily biodegradable (by OECD criteria).

Bioaccumulative potential

Assessment bioaccumulation potential

The product has not been tested. The statement has been derived from the properties of the individual components.

Bioaccumulation potential

Information on: *alpha-cypermethrin*

Bioconcentration factor: 155 - 910 (73 d), *Cyprinus carpio* (OECD Guideline 305 C)

Mobility in soil

Assessment transport between environmental compartments

The product has not been tested. The statement has been derived from the properties of the individual components.

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Information on: alpha-cypermethrin

Following exposure to soil, adsorption to solid soil particles is probable, therefore contamination of groundwater is not expected.

Additional information

Other ecotoxicological advice:
Do not discharge product into the environment without control.

13. Disposal considerations

Waste disposal of substance:

Pesticide wastes are regulated. Improper disposal of excess pesticide, spray mix or rinsate is a violation of federal law. If pesticide wastes cannot be disposed of according to label instructions, contact the State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container disposal:

Rinse thoroughly at least three times (triple rinse) in accordance with EPA recommendations. Consult state or local disposal authorities for approved alternative procedures such as container recycling. Recommend crushing, puncturing or other means to prevent unauthorized use of used containers.

14. Transport Information

Land transport

USDOT

Not classified as a dangerous good under transport regulations

Sea transport

IMDG

Hazard class:	9
Packing group:	III
ID number:	UN 3082
Hazard label:	9, EHSM
Marine pollutant:	YES
Proper shipping name:	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (contains ALPHA-CYPERMETHRIN)

Air transport

IATA/ICAO

Hazard class:	9
Packing group:	III
ID number:	UN 3082
Hazard label:	9, EHSM
Proper shipping name:	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (contains ALPHA-CYPERMETHRIN)

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15. Regulatory Information

Federal Regulations

Registration status:

Chemical TSCA, US blocked / not listed

Crop Protection TSCA, US released / exempt

CA Prop. 65:

A risk assessment indicates CA Proposition 65 Safe Harbor criteria are not exceeded when the product is used for agricultural or residential purposes.

Labeling requirements under FIFRA

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and workplace labels of non-pesticide chemicals. Following is the hazard information as required on the pesticide label.

CAUTION:

Causes moderate eye irritation.

Avoid contact with the skin, eyes and clothing.

Wash thoroughly after handling.

16. Other Information

SDS Prepared by:

BASF NA Product Regulations

SDS Prepared on: 2017/07/03

We support worldwide Responsible Care® initiatives. We value the health and safety of our employees, customers, suppliers and neighbors, and the protection of the environment. Our commitment to Responsible Care is integral to conducting our business and operating our facilities in a safe and environmentally responsible fashion, supporting our customers and suppliers in ensuring the safe and environmentally sound handling of our products, and minimizing the impact of our operations on society and the environment during production, storage, transport, use and disposal of our products.

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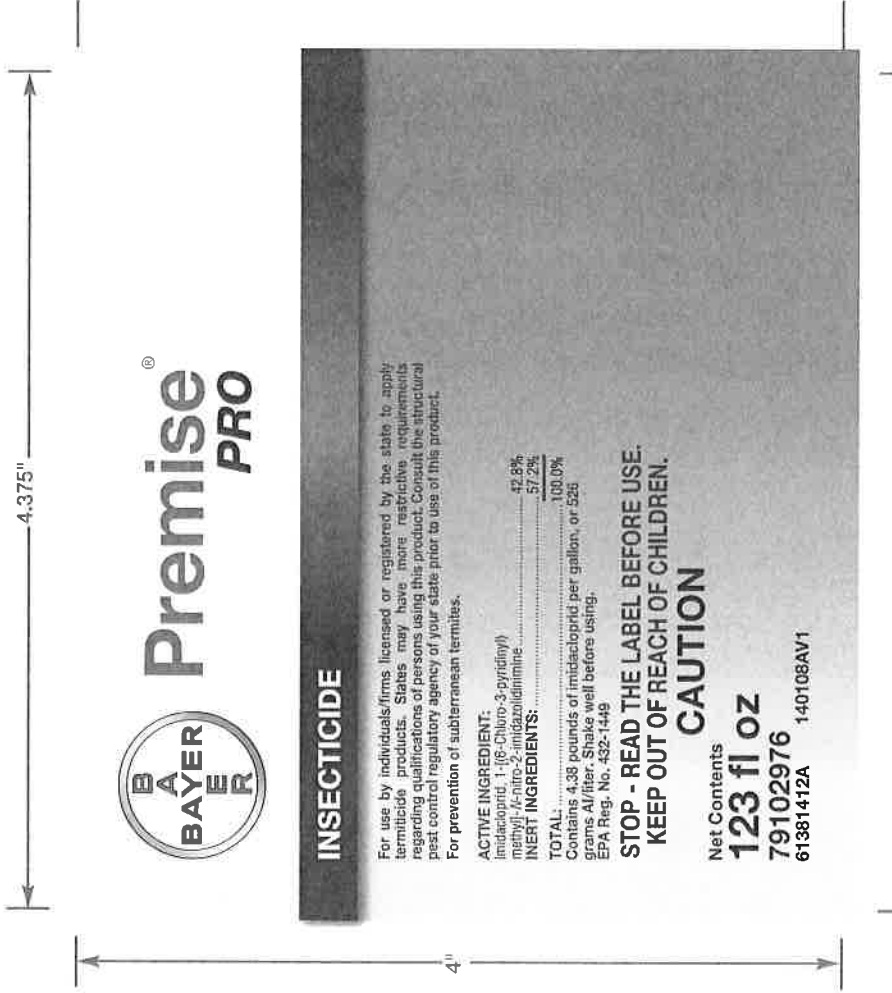
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END OF DATA SHEET



4.375"

PARA EL USUARIO: Si usted no lee o entiende inglés, no use este producto hasta que le hayan explicado completamente las instrucciones que figuran en la etiqueta.
(TO THE USER: If you cannot read or understand English, do not use this product until the label has been fully explained to you.)
For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577
For PRODUCT USE Information Call 1-800-331-2867

FIRST AID

If swallowed:	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing:	• Take off contaminated clothing • Rinse skin immediately with plenty of soap and water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes:	• Hold eyelids open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.

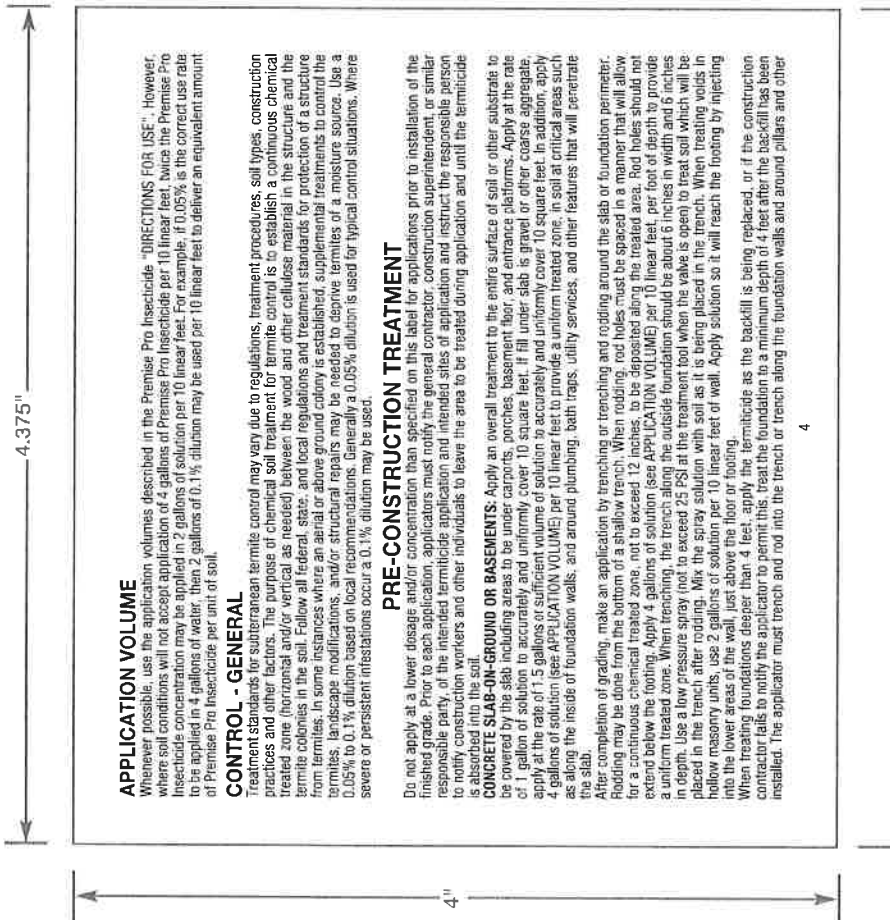
HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-334-7577 for emergency medical treatment.

NOTE TO PHYSICIAN: No specific antidote is available. Treat patient symptomatically.

HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Keep children or pets away from treated area until dry. When treating adjacent to an existing structure, the applicator must check the area to be treated, and immediately adjacent areas of the structure, for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean up is completed.





3) When appropriate (i.e., on the water side of the structure), the treated backfill technique (described above) can also be used to minimize off-site movement of termiticide.

CONTROL OF WOOD INFESTING PESTS

For control of carpenter ants in localized areas, apply a 0.05 to 0.1% solution of sufficient volume of PREMISE PRO INSECTICIDE to roach to voids and galleries in damaged wood, and in spaces between wooden structural members and between the sill plate and foundation where wood is vulnerable. Applications may be made to inaccessible areas by drilling, and then injecting the suspension of foam with a suitable directional injector into the damaged wood or wall voids. Application to attic crawl spaces, unfinished basements, or storable wood may be made with a coarse fan spray of 0.05 to 0.1% solution of attic crawl space exterminator worker and winged reproductive forms of carpenter ants. This type of application is intended to be a supplemental treatment for control of carpenter ants. Use a 0.05% to 0.1% solution to control existing infestations of or to prevent infestation by carpenter ants in trees, utility poles, fencing, and decking materials, landscape timbers and similar nonstructural wood-to-soil contacts. If possible, locate the interior infested cavity and inject a 0.05 to 0.1% solution of sufficient volume of PREMISE PRO INSECTICIDE foam using an appropriate treatment tool with a splashback guard. These non-structural wood-to-soil contacts may also be treated by applying a solution to the soil as a spot application or continuous treated zone applied as a trench or by rodding around the base of the point(s) of soil contact. Rod holes should be placed approximately 3 inches away from the soil contact point(s) and spaced no more than 12 inches along the perimeter of the soil contact. For small holes or posts (< 6 inches in diameter), apply 1 gallon per foot of depth. For larger constructions, apply 4 gallons per 10 linear feet per foot of depth. Retreat as needed to maintain protection.

For protection of **firewood or other wood products** stored in contact with soil from carpenter ants, treat soil prior to stacking with a 0.05 to 0.1% solution at 1 gallon per 10 square feet to prevent infestation. Curative application to the soil around firewood or other wood products stored in contact with soil may be made as described for non-structural wood-to-soil contacts (above).

RETREATMENT

Retreatment for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the treated zone due to construction, excavation, or landscaping and/or evidence of the breakdown of the termiticide treated zone in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the treated zone. Retreatment may be either a spot or complete treatment.

When a structure is not known to be in the treated zone is not disturbed, but when the structure was last treated five or more years ago, retreatment may be performed if, in the judgment of the applicator, it is necessary to ensure adequate protection of the structure. In determining the timing of any retreatment, the applicator should consider efficacy and/or degradation data and/or site-specific conditions and previous experience that indicate a vulnerability of the structure to termite attack.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or treated zone disruption has occurred.

When another registered termite control product/system is used as the primary treatment for prevention or control of subterranean termites and is applied to all label-specified areas, PREMISE may be applied as a spot application in a secondary treatment to critical areas of the structure including plumbing and utility entry sites, bare traps, expansion joints, foundation cracks, the outside foundation wall and areas of known or suspected activity within the pre-treatment or post-construction treatment areas. These secondary treatments must be made applied in amounts and concentration in accordance with label directions relevant to the treatment area(s) to receive the secondary treatment.

For control of ants in houses and other structures: apply a 0.05 to 0.1% solution as a general surface, spot, crack and crevice treatment.

4"

4.375"

crevice or wall void application. Apply to surfaces on buildings, porches, patios and other structures, around doors and windows, eaves and attic vents, utility entry points, soffit areas and other exterior openings (including foundation cracks or drilled holes) where these pests enter the structure or where they crawl or hide. Spray into cracks and crevices. Spray, mist, or foam into voids where these ants or their nests are present. Apply the volume of spray, mist, or foam sufficient to cover the area, but do not allow excessive dripping or run-off to occur from vertical or overhead surfaces.

Treat soil, turf, or non-flowering ground cover adjacent to the structure where ants are trailing or may find food or harborage. To control ants tunneling in soil apply a 0.05% to 0.1% solution as a drench or soil injection at intervals to establish a continuous treated zone. Treat along the edge of walls, driveways or other hard surfaces where ants are tunneling beneath the surface.

Aerial Nests: If ant nests are located in tree hollows or non-structural wooden construction (e.g., posts, fences, decks) treat the interior cavity and/or the nest site by injecting a 0.05%-0.1% solution as a spray mist, or sufficient volume of foam. Apply in sufficient water to cover the foliage and soil area being treated. Maximum application is once per month to maintain control.

Do not allow residents or pets into the immediate area during the application or contact with treated areas until spray has dried. Interior applications for ant control are limited to spot, crack and crevice, or wall void applications only.

Do not use this product against native or injured fire ants, harvester ants, or pharaoh ants.

NOTE: Where severe pest pressures may exist and when rapid knockdown or exclusion at pest entry points is desired, supplement treatments using Premise Pro Insecticide with targeted applications of a pyrethroid such as TEMPO® SC ULTRA or SUSPEND® SC to doors and windows, utility entry points, and other places where these pests enter the structure. Read and follow all label directions for use of this companion product.

PRECAUTIONS AND RESTRICTIONS FOR APPLICATIONS

After treatment, plug and fill all holes drilled in concrete slab areas of the building with a suitable sealant.

Do not apply solution until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements.

Do not treat within a distance of one foot out from the drip line of edible plants.

Avoid contamination of public and private water supplies. Use anti-backflow equipment or an air gap on filling hoses to potable water supplies.

Consult State, Federal, or local authorities for information regarding the approved treatment practices for areas in close proximity to potable water supplies.

Do not allow this product to contact blooming plants when making perimeter treatments if bees are foraging the treatment area.

Do not apply this product, by any application method, to Linden, basswood, or other *Tilia* species.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area. Handle and open container in a manner as to prevent spillage. If the container is leaking, invert to prevent leakage. If container is leaking or material spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticide below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Environmental Science Emergency Response team for decontamination

(continued)

7

4.375"

STORAGE AND DISPOSAL *(continued)*

procedures or any other assistance that may be necessary. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site (in the treatment area) or at an approved waste disposal facility.

Container Disposal:

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSOURCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSOURCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSOURCE LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Bayer (reg d), the Bayer Cross (reg d), Premise®, Suspend® and Tempo® are registered trademarks of Bayer.

Produced for:

Bayer Environmental Science
A Division of Bayer CropScience LP
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Bayer

.8125"

4"

.5625"

3.75"



Premise[®]
PRO

INSECTICIDE

ACTIVE INGREDIENT:
Imidacloprid, 1-[(6-Chloro-3-pyridinyl)
methyl]-N-nitro-2-imidazolidinimine 42.8%
INERT INGREDIENTS: 57.2%
TOTAL: 100.0%
Contains 4.38 pounds of Imidacloprid per gallon, or
1528 grams AI/liter. Shake well before using.
IEPA Reg. No. 432-1449

**STOP - READ THE LABEL
BEFORE USE.
KEEP OUT OF REACH OF
CHILDREN.**

CAUTION

PARA EL USUARIO: Si usted no lee o entiende inglés, no use
este producto hasta que le hayan explicado completamente
las instrucciones que figuran en la etiqueta.
(TO THE USER: If you cannot read or understand English, do
not use this product until the label has been fully explained
to you.)

See attached leaflet for complete First Aid Instructions
Precautionary Statements, Directions for Use and Storage and
Disposal Instructions.

Net Contents
123 fl oz
79102976
91381412A 140108AV1

FIRST AID	
If swallowed:	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing:	• Take off contaminated clothing. • Rinse skin immediately with plenty of soap and water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes:	• Hold eyelids open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes; then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-334-7577 for emergency medical treatment. NOTE TO PHYSICIAN: No specific antidote is available. Treat patient symptomatically.	

4.375"

Book

5.375"



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Print Date: 08/11/2015

SECTION 1: IDENTIFICATION OF THE SUBSTANCE/MIXTURE AND OF THE COMPANY/UNDERTAKING

Product identifier

Trade name PREMISE® PRO INSECTICIDE

Product code (UVP) 79037554

SDS Number 102000016236

EPA Registration No. 432-1449

Relevant identified uses of the substance or mixture and uses advised against

Use Insecticide

Restrictions on use See product label for restrictions.

Information on supplier

Supplier Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle PK, NC 27709
United States

Responsible Department Email: SDSINFO.BCS-NA@bayer.com

Emergency telephone no.

Emergency Telephone Number (24hr/ 7 days) 1-800-334-7577

Product Information Telephone Number 1-800-331-2867

SECTION 2: HAZARDS IDENTIFICATION

Classification in accordance with regulation HCS 29CFR §1910.1200

Acute toxicity (Oral, Inhalation): Category 4



Signal word: Warning

Hazard statements

Harmful if swallowed or if inhaled.

Precautionary statements

Wash thoroughly after handling.

Do not eat, drink or smoke when using this product.

Avoid breathing mist/ vapours.

Use only outdoors or in a well-ventilated area.



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IF SWALLOWED: Call a POISON CENTER/doctor/physician if you feel unwell.
Rinse mouth.
IF INHALED: Remove person to fresh air and keep comfortable for breathing.
Call a POISON CENTER/doctor/physician if you feel unwell.
Dispose of contents/container in accordance with local regulation.

Other hazards

No other hazards known.

SECTION 3: COMPOSITION/INFORMATION ON INGREDIENTS

Hazardous Component Name	CAS-No.	Concentration % by weight
Imidacloprid	138261-41-3	42.8
Ethoxylated polyarylphenol	99734-09-5	1.5

SECTION 4: FIRST AID MEASURES

Description of first aid measures

General advice	When possible, have the product container or label with you when calling a poison control center or doctor or going for treatment.
Inhalation	Move to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a physician or poison control center immediately.
Skin contact	Take off contaminated clothing and shoes immediately. Wash off immediately with plenty of water for at least 15 minutes. Call a physician or poison control center immediately.
Eye contact	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a physician or poison control center immediately.
Ingestion	Call a physician or poison control center immediately. Rinse out mouth and give water in small sips to drink. DO NOT induce vomiting unless directed to do so by a physician or poison control center. Never give anything by mouth to an unconscious person. Do not leave victim unattended.

Most important symptoms and effects, both acute and delayed

Symptoms To date no symptoms are known.

Indication of any immediate medical attention and special treatment needed

Treatment Appropriate supportive and symptomatic treatment as indicated by the patient's condition is recommended. There is no specific antidote.



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SECTION 5: FIREFIGHTING MEASURES

Extinguishing media

Suitable Foam, Dry chemical, Water spray

Unsuitable None known.

Special hazards arising from the substance or mixture Dangerous gases are evolved in the event of a fire.

Advice for firefighters

Special protective equipment for fire-fighters Firefighters should wear NIOSH approved self-contained breathing apparatus and full protective clothing.

Further information Keep out of smoke. Fight fire from upwind position. Cool closed containers exposed to fire with water spray. Do not allow run-off from fire fighting to enter drains or water courses.

Flash point > 100 °C

Autoignition temperature no data available

Lower explosion limit no data available

Upper explosion limit no data available

Explosivity not applicable

SECTION 6: ACCIDENTAL RELEASE MEASURES

Personal precautions, protective equipment and emergency procedures

Precautions Keep unauthorized people away. Isolate hazard area. Avoid contact with spilled product or contaminated surfaces.

Methods and materials for containment and cleaning up

Methods for cleaning up Soak up with inert absorbent material (e.g. sand, silica gel, acid binder, universal binder, sawdust). Collect and transfer the product into a properly labelled and tightly closed container. Clean contaminated floors and objects thoroughly, observing environmental regulations.

Additional advice Use personal protective equipment. Do not allow to enter soil, waterways or waste water canal.

Reference to other sections Information regarding safe handling, see section 7.
Information regarding personal protective equipment, see section 8.
Information regarding waste disposal, see section 13.

SECTION 7: HANDLING AND STORAGE



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Precautions for safe handling

Advice on safe handling

Handle and open container in a manner as to prevent spillage. Use only in area provided with appropriate exhaust ventilation.

Hygiene measures

Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, using the toilet or applying cosmetics.
Remove Personal Protective Equipment (PPE) immediately after handling this product. Remove soiled clothing immediately and clean thoroughly before using again. Wash thoroughly and put on clean clothing.

Conditions for safe storage, including any incompatibilities

Requirements for storage areas and containers

Store in a cool, dry place and in such a manner as to prevent cross contamination with other crop protection products, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION

Control parameters

Components	CAS-No.	Control parameters	Update	Basis
Imidacloprid	138261-41-3	50ug/m3 (ST ESL)	07 2011	TX ESL
Imidacloprid	138261-41-3	5ug/m3 (AN ESL)	07 2011	TX ESL
Imidacloprid	138261-41-3	0.7 mg/m3 (TWA)		OES BCS*
Glycerine (Respirable fraction.)	56-81-5	5 mg/m3 (PEL)	02 2006	OSHA Z1
Glycerine (Total dust.)	56-81-5	15 mg/m3 (PEL)	02 2006	OSHA Z1
Glycerine (Total dust.)	56-81-5	10 mg/m3 (TWA)	1989	OSHA Z1A
Glycerine (Respirable fraction.)	56-81-5	5 mg/m3 (TWA)	1989	OSHA Z1A
Glycerine (Total dust and mist.)	56-81-5	10 mg/m3 (TWA)	06 2008	TN OEL
Glycerine (Respirable fraction and dust or fume.)	56-81-5	5 mg/m3 (TWA)	06 2008	TN OEL
Glycerine (Vapor.)	56-81-5	1000ug/m3 (ST ESL)	02 2013	TX ESL
Glycerine (Particulate.)	56-81-5	50ug/m3 (ST ESL)	02 2013	TX ESL
Glycerine (Vapor.)	56-81-5	100ug/m3 (AN ESL)	02 2013	TX ESL

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Glycerine (Particulate.)	56-81-5	5ug/m3 (AN ESL)	02 2013	TX ESL
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*OES BCS: Internal Bayer CropScience "Occupational Exposure Standard"

Exposure controls

Personal protective equipment

In normal use and handling conditions please refer to the label and/or leaflet. In all other cases the following recommendations would apply.

Respiratory protection When respirators are required, select NIOSH approved equipment based on actual or potential airborne concentrations and in accordance with the appropriate regulatory standards and/or industry recommendations.

Hand protection Chemical resistant nitrile rubber gloves

Eye protection Safety glasses with side-shields

Skin and body protection Wear long-sleeved shirt and long pants and shoes plus socks.

General protective measures Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and warm/tepid water.
Keep and wash PPE separately from other laundry.

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance	white to light beige
Physical State	liquid
Odor	characteristic
Odour Threshold	no data available
pH	no data available
Vapor Pressure	no data available
Vapor Density (Air = 1)	no data available
Density	1.23 g/cm ³ at 20 °C
Evaporation rate	no data available
Boiling Point	no data available
Melting / Freezing Point	no data available
Water solubility	dispersible
Minimum Ignition Energy	not applicable
Decomposition temperature	no data available
Partition coefficient: n-octanol/water	not applicable
Viscosity	450 - 1,000 cps



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Flash point	> 100 °C
Autoignition temperature	no data available
Lower explosion limit	no data available
Upper explosion limit	no data available
Explosivity	not applicable

SECTION 10: STABILITY AND REACTIVITY

Reactivity

Thermal decomposition	no data available
Chemical stability	Stable under normal conditions.
Possibility of hazardous reactions	No hazardous reactions when stored and handled according to prescribed instructions.
Conditions to avoid	no data available
Incompatible materials	no data available
Hazardous decomposition products	No decomposition products expected under normal conditions of use.

SECTION 11: TOXICOLOGICAL INFORMATION

Exposure routes	Ingestion, Eye contact, Skin Absorption, Skin contact
Immediate Effects	
Eye	May cause mild irritation to eyes.
Skin	May cause slight irritation. Harmful if absorbed through skin.
Ingestion	Harmful if swallowed.
Inhalation	May be harmful if inhaled.
Information on toxicological effects	
Acute oral toxicity	LD50 (male/female combined rat) 609 mg/kg
Acute inhalation toxicity	LC50 (male rat) 2.5 mg/l Exposure time: 4 h Determined in the form of liquid aerosol. LC50 (male rat) 10.0 mg/l Exposure time: 1 h Determined in the form of liquid aerosol. Extrapolated from the 4 hr LC50. LC50 (female rat) > 1.02 - < 2.02 mg/l



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Exposure time: 4 h
Determined in the form of liquid aerosol.
LC50 (female rat) > 4.1 - < 8.1 mg/l
Exposure time: 1 h
Determined in the form of liquid aerosol.
Extrapolated from the 4 hr LC50.

Acute dermal toxicity	LD50 (rat) > 2,000 mg/kg
Skin irritation	Slight irritation (rabbit)
Eye irritation	Minimally irritating. (rabbit)
Sensitisation	Non-sensitizing. (guinea pig)

Assessment repeated dose toxicity

Imidacloprid did not cause specific target organ toxicity in experimental animal studies.

Assessment mutagenicity

Imidacloprid was not mutagenic or genotoxic based on the overall weight of evidence in a battery of in vitro and in vivo tests.

Assessment carcinogenicity

Imidacloprid was not carcinogenic in lifetime feeding studies in rats and mice.

ACGIH

None.

NTP

None.

IARC

None.

OSHA

None.

Assessment toxicity to reproduction

Imidacloprid caused reproduction toxicity in a two-generation study in rats only at dose levels also toxic to the parent animals. The reproduction toxicity seen with Imidacloprid is related to parental toxicity.

Assessment developmental toxicity

Imidacloprid caused developmental toxicity only at dose levels toxic to the dams. The developmental effects seen with Imidacloprid are related to maternal toxicity.

Further information

Acute toxicity studies have been bridged from a similar formulation(s).
The non-acute information pertains to the active ingredient(s).



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SECTION 12: ECOLOGICAL INFORMATION

Toxicity to fish	LC50 (Oncorhynchus mykiss (rainbow trout)) 211 mg/l Exposure time: 96 h The value mentioned relates to the active ingredient imidacloprid.
Toxicity to aquatic invertebrates	EC50 (Daphnia magna (Water flea)) 85 mg/l Exposure time: 48 h The value mentioned relates to the active ingredient imidacloprid. LC50 (Chironomus riparius (non-biting midge)) 0.0552 mg/l Exposure time: 24 h The value mentioned relates to the active ingredient imidacloprid.
Toxicity to aquatic plants	EC50 (Desmodesmus subspicatus (green algae)) > 10 mg/l Growth rate; Exposure time: 72 h The value mentioned relates to the active ingredient imidacloprid.
Biodegradability	Imidacloprid: not rapidly biodegradable
Koc	Imidacloprid: Koc: 225
Bioaccumulation	Imidacloprid: Does not bioaccumulate.
Mobility in soil	Imidacloprid: Moderately mobile in soils
Environmental precautions	Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate surface or ground water by cleaning equipment or disposal of wastes, including equipment wash water. Do not apply when weather conditions favor runoff or drift. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. Apply this product as specified on the label.

SECTION 13: DISPOSAL CONSIDERATIONS

Waste treatment methods

Product	Pesticide, spray mixture or rinse water that cannot be used according to label instructions may be disposed of on site or at an approved waste disposal facility.
Contaminated packaging	Do not re-use empty containers. Triple rinse containers.

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RCRA Information

Puncture container to avoid re-use.
Dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State/Provincial and local authorities, by burning.
If burned, stay out of smoke.
Follow advice on product label and/or leaflet.

Characterization and proper disposal of this material as a special or hazardous waste is dependent upon Federal, State and local laws and are the user's responsibility. RCRA classification may apply.

SECTION 14: TRANSPORT INFORMATION

49CFR Not dangerous goods / not hazardous material

IMDG

UN number	3082
Class	9
Packaging group	III
Marine pollutant	YES
Proper shipping name	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (IMIDACLOPRID SOLUTION)

IATA

UN number	3082
Class	9
Packaging group	III
Environm. Hazardous Mark	YES
Proper shipping name	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (IMIDACLOPRID SOLUTION)

This transportation information is not intended to convey all specific regulatory information relating to this product. It does not address regulatory variations due to package size or special transportation requirements.

Freight Classification: INSECTICIDES OR FUNGICIDES, N.O.I., OTHER THAN POISON

SECTION 15: REGULATORY INFORMATION

EPA Registration No. 432-1449

US Federal Regulations

TSCA list

None.

US. Toxic Substances Control Act (TSCA) Section 12(b) Export Notification (40 CFR 707, Subpt D)

None.

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SARA Title III - Section 302 - Notification and Information

None.

SARA Title III - Section 313 - Toxic Chemical Release Reporting

None.

US States Regulatory Reporting

CA Prop65

This product does not contain any substances known to the State of California to cause cancer.

This product does not contain any substances known to the State of California to cause reproductive harm.

US State Right-To-Know Ingredients

None.

Canadian Regulations

Canadian Domestic Substance List

None.

Environmental

CERCLA

None.

Clean Water Section 307 Priority Pollutants

None.

Safe Drinking Water Act Maximum Contaminant Levels

None.

EPA/FIFRA Information:

This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. Following is the hazard information required on the pesticide label:

Signal word: Caution!

Hazard statements: Harmful if swallowed or absorbed through skin.
Avoid contact with skin, eyes and clothing.
Wash thoroughly with soap and water after handling.

SECTION 16: OTHER INFORMATION

Abbreviations and acronyms

49CFR	Code of Federal Regulations, Title 49
ACGIH	US. ACGIH Threshold Limit Values
CAS-Nr.	Chemical Abstracts Service number
EINECS	European inventory of existing commercial substances
ELINCS	European list of notified chemical substances
IARC	US. IARC Monographs on Occupational Exposures to Chemical Agents
IATA	International Air Transport Association

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IMDG	International Maritime Dangerous Goods
N.O.S.	Not otherwise specified
NTP	US. National Toxicology Program (NTP) Report on Carcinogens
OECD	Organization for Economic Co-operation and Development
TDG	Transportation of Dangerous Goods
TWA	Time weighted average
UN	United Nations
WHO	World health organisation

NFPA 704 (National Fire Protection Association):

Health - 2 Flammability - 1 Instability - 0 Others - none

HMIS (Hazardous Materials Identification System, based on the Third Edition Ratings Guide)

Health - 1 Flammability - 1 Physical Hazard - 0 PPE -

0 = minimal hazard, 1 = slight hazard, 2 = moderate hazard, 3 = severe hazard, 4 = extreme hazard

Reason for Revision: Revised according to the current OSHA Hazard Communication Standard (29CFR1910.1200)

Revision Date: 06/03/2015

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Series 1000 – Community Relations

SP 1250

TITLE: Visitors	
Approved by: <u>On File</u> <i>Francisco Reveles, Ed.D., Superintendent of Schools</i>	Series: Community Relations Version: 2 Effective Date: July 1, 2021 Previous Policy Date: Unknown Revised By: Leslie Cena Policy Number: SP 1250

The County Office of Education (COE) believes that it is important for parents/guardians to take an active interest in the issues affecting schools and students. Therefore, the COE encourages interested parents/guardians to visit the school sites.

The County Office of Education school administrators, teachers, and staff seek to provide for the successful, emotional, and social development of all students. To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days.

Visits during school hours must be arranged with the principal or designee to establish an appropriate time. A YCOE representative will be present in classrooms during the duration of the visitation. The behavior of each visitor/observer during a school site observation must be supportive of the school and classroom environments without disruption to the instructional activities (e.g., no smartphones, side conversations, questions).

When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The COE encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the COE's complaint processes if they have concerns with any program or employee. Parents/guardians who desire to visit any class operated by the county are permitted as long as:

- No attempt is made to interfere with the class activities during the visit (see Ed. Code 44810).
- No attempt is made to upbraid, insult, or abuse any teacher in the presence of pupils or on school grounds or public ways adjacent to school premises (see Ed. Codes 44811 and 44812).

In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

44810 - 44812 Rights and Duties

49091.10 Parental right to inspect instructional materials and observe school activities

51101 Parent Rights Act of 2002

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex offenders

626-626.10 Schools

626.81 Misdemeanor for registered sex offender to come onto school grounds

627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

(7/10 3/12) 12/14

Series 1000 – Community Relations

AR 1250

TITLE: Visitors	
Approved by: <u>On File</u> <i>Francisco Reveles, Ed.D., Superintendent of Schools</i>	Series: Community Relations Version: 2 Effective Date: July 1, 2021 Previous Policy Date: Unknown Revised By: Leslie Cena Policy Number: AR 1250

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.

Visitor Registration

Visitors shall register upon entering school premises during school hours. A visitor includes any person who is not a student of the school/program or a County Office of Education officer or employee.

Registration Procedure

In order to register, a visitor shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address, and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Principal's Registration Authority

The principal or designee may refuse to register any visitor if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any visitor's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

When a visitor fails to register, or when the principal or designee denies or revokes a visitor's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

(6/96 10/96) 7/10

Series 1000 – Community Relations

SP 1312.3

TITLE: Uniform Complaint Procedures

Approved by: Francisco Reveles
*Francisco Reveles, Ed.D., Superintendent of
 Schools*

Series: **Community
Relations**
 Version: **3**
 Effective Date: **6/7/2022**
 Previous Policy
 Date: **1/25/2016**
 Revised By: **Committee**
 Policy Number: **SP 1312.3**

Yuba County Office of Education (YCOE) recognizes that the county office of education (YCOE) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing its educational programs. YCOE encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, YCOE adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and any related procedures approved by the County Superintendent of Schools.

Complaints Subject to UCP

YCOE'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 YCOE 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

At its discretion, the YCOE may use the UCP for any other type of complaint as specified in a YCOE policy or regulation. (5 CCR 4610)

YCOE 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 use of ADR shall be consistent with state and federal laws and regulations.

All complainants shall be protected from retaliation, and the confidentiality of the parties shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the identity of the complainant, and/or the subject of the complaint if different from the complainant, shall remain confidential when appropriate and as long as the integrity of the complaint process is maintained.

Records of all UCP complaints and the investigations of those complaints are to be maintained in accordance with applicable law and County Superintendent policies and procedures.

Non-UCP Complaints

The following complaints shall not be subject to the YCOE'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 the Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the YCOE 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 E 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be referred to the County Superintendent for investigation using YCOE procedures, including the right to file the complaint with the California Department of Fair Employment and Housing.

5. 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 YCOE is subject, or a physical safety concern that interferes with the YCOE's provision of FAPE shall be submitted to the California Department of Education (CDE). (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the YCOE'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)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the YCOE's food service program shall be referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. 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 BP 1312.4 - Williams Uniform Complaint Procedures and applicable administrative regulations. (Education Code 35186)

Federal	Description
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
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	Designation of responsible employee and adoption of grievance procedures
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	Definitions
34 CFR 106.44	Response to notice of sexual harassment
34 CFR 106.45	Title IX sexual harassment complaint procedures
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures
34 CFR 110.25	Prohibition of discrimination based on age

34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
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 2020-21 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 Justice
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Department of Agriculture
Website	CSBA
Website	California Department of Social Services
Website	California Department of Fair Employment and Housing
Website	California Department of Education
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 education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 18100-18203	School libraries
Ed. Code 32280-32289	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Accommodations for pregnant and parenting students;

Ed. Code 48645.7	parental leave
Ed. Code 48853-48853.5	Juvenile court schools
Ed. Code 48985	Foster youth
Ed. Code 49010-49014	Notices to parents in language other than English
Ed. Code 49060-49079	Student fees
Ed. Code 49069.5	Student records
Ed. Code 49490-49590	Records of foster youth
Ed. Code 49701	Child nutrition programs
	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
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 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Unlawful 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
Cross References	
Code	Description
0410	Nondiscrimination In County Office Programs And Activities
0460	Local Control And Accountability Plan
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures

5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7-E(1)	<u>Sexual Harassment</u>
5145.71	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.71-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.71-E(2)	<u>Title IX Sexual Harassment Complaint Procedures</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9124	<u>Attorney</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Series 1000 – Community Relations

AR 1312.3

TITLE: Uniform Complaint Procedures

Approved by: Francisco Reveles
Francisco Reveles, Ed.D., Superintendent of
Schools

Series: **Community
Relations**
Version: **2**
Effective Date: **6/7/2022**
Previous Policy
Date: **10/3/2014**
Revised By: **Committee**
Policy Number: **AR 1312.3**

Except as may otherwise be specifically provided in other Yuba County Office of Education (YCOE) policies, these Uniform Complaint Procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Superintendent policy.

Compliance Officers

Yuba County Office of Education (YCOE) designates the individual, position, or unit identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual, position, or unit also serve as the compliance officer 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.

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Yuba County Office of Education
Human Resources Department
935 14th Street, Marysville, CA 95901
530-749-4870
mary.hang@yubacoe.k12.ca.us

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 County Superintendent or designee who shall determine how the complaint will be investigated.

The County 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 County 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 YCOE issues its final written decision, whichever occurs first.

Notifications

YCOE's UCP policy and administrative regulation shall be posted in all schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the County Superintendent or designee shall annually provide written notification of the YCOE's UCP to students, employees, parents/guardians of YCOE students, 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 YCOE 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 currently occupying that position if known, and a statement that such person 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 YCOE'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 YCOE 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 YCOE, 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 YCOE'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 YCOE's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and YCOE's decision, within 30 calendar days of receiving YCOE'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 YCOE's UCP are available free of charge

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

The County 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 YCOE's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, YCOE'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, YCOE 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, YCOE 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 YCOE violation of applicable state or federal law or regulations governing the programs specified in the accompanying Superintendent 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 County 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. (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 County 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 YCOE's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, YCOE 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 YCOE'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 YCOE shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, YCOE 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 YCOE'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 YCOE 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 compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the YCOE's receipt of the complaint. (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.

Investigation Report

For all complaints, YCOE'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 YCOE is in compliance with the relevant law
3. Corrective action(s) whenever YCOE 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 YCOE's investigation report to CDE, except when YCOE 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 YCOE 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 YCOE'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 YCOE'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 YCOE environment may include, but are not limited to, actions to reinforce YCOE 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, YCOE shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

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

Upon notification by CDE that YCOE's investigation report has been appealed, the County 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 YCOE'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 YCOE's UCP
6. Other relevant information requested by CDE

If notified by CDE that YCOE's investigation report failed to address allegation(s) raised by the complaint, YCOE 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)

Federal	Description
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
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	Designation of responsible employee and adoption of grievance procedures
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	Definitions
34 CFR 106.44	Response to notice of sexual harassment
34 CFR 106.45	Title IX sexual harassment complaint procedures
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures
34 CFR 110.25	Prohibition of discrimination based on age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
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

California Department of Education
Publication

California Department of Education
Publication

U.S. DOE, Office for Civil Rights
Publication

U.S. DOE, Office for Civil Rights
Publication

U.S. DOE, Office for Civil Rights
Publication

U.S. DOJ Publication

Website

Website

Website

Website

Website

Website

Website

Website

State

2 CCR 11023

5 CCR 15580-15584

5 CCR 3200-3205

5 CCR 4600-4670

5 CCR 4680-4687

5 CCR 4690-4694

5 CCR 4900-4965

Ed. Code 200-262.4

Ed. Code 18100-18203

Ed. Code 32280-32289

Ed. Code 35186

Ed. Code 46015

Ed. Code 48645.7

Ed. Code 48853-48853.5

Ed. Code 48985

Ed. Code 49010-49014

Ed. Code 49060-49079

Description

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

Part 1: Questions and Answers Regarding the Department's
Title IX Regulations, January 2021

Questions and Answers on the Title IX Regulations on
Sexual Harassment, July 2021

Dear Colleague Letter: Responding to Bullying of Students
with Disabilities, October 2014

Guidance to Federal Financial Assistance Recipients
Regarding Title VI Prohibition Against National Origin
Discrimination Affecting Limited English Proficient Persons,
2007

[Student Privacy Policy Office](#)

[U.S. Department of Justice](#)

[U.S. Department of Education, Office for Civil Rights](#)

[U.S. Department of Agriculture](#)

[CSBA](#)

[California Department of Social Services](#)

[California Department of Fair Employment and Housing](#)

[California Department of Education](#)

Description

[Harassment and discrimination prevention and correction](#)

Child nutrition programs complaint procedures

Special education compliance complaints

Uniform complaint procedures

Williams uniform complaint procedures

Complaints regarding health and safety issues in license-
exempt preschool programs

Nondiscrimination in elementary and secondary education
programs

[Educational equity; prohibition of discrimination on the basis
of sex](#)

School libraries

School safety plans

Williams uniform complaint procedures

Accommodations for pregnant and parenting students;
parental leave

Juvenile court schools

Foster youth

Notices to parents in language other than English

Student fees

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	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
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 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Unlawful 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

Cross References**Code**

0410
0460
1312.4
1312.4
5145.3
5145.3
5145.7
5145.7
5145.7-E(1)
5145.71

Description

[Nondiscrimination In County Office Programs And Activities](#)
[Local Control And Accountability Plan](#)
[Williams Uniform Complaint Procedures](#)
[Williams Uniform Complaint Procedures](#)
[Nondiscrimination/Harassment](#)
[Nondiscrimination/Harassment](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Title IX Sexual Harassment Complaint Procedures](#)

5145.71-E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.71-E(2)	<u>Title IX Sexual Harassment Complaint Procedures</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9124	<u>Attorney</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

Series 1000 – Community Relations

UNIFORM COMPLAINT PROCEDURES FORM

Type of Complaint:

(See definitions in policy: SP 1312.3 & AR 1312.3)

- | | |
|--|--|
| ☐ Personnel | ☐ Instructional Materials |
| ☐ Unlawful Discrimination | ☐ Student Fees |
| ☐ Bullying/Harassment | ☐ LCAP |
| ☐ Program Compliance | ☐ Other |

Individual Filing Complaint: _____
(please print)

Address, City, Zip: _____

Telephone: _____ Cell: _____

Employee(s) involved in complaint (if applicable):

School site, program, and/or materials involved in complaint (if applicable):

Nature of Complaint:

(This should be a description in your own words of your complaint, including all names, dates, times, and places necessary for a complete understanding of your complaint.)

(You may attach additional pages if necessary to describe the complaint)

Series 1000 – Community Relations

Has the complaint been discussed with a County Office Administrator? _____

To whom have you spoken? _____

When? Date(s) _____

What was the result of the discussion? _____

I understand that the Compliance Officer may request additional information from me regarding this complaint, and if such information is available, I shall present it upon request.

I also understand that a copy of this complaint may be given to the person(s) against whom this complaint is being made, and he/she (they) will be given the opportunity to respond in writing to this complaint, and that I will receive a copy of such response.

I also understand that this complaint will be investigated in accordance with Board Policy 1312.3.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on _____, at _____
(date) (city)

California.

Signature

Date

Submit Complaint to:

Mary Hang, Executive Director of Human Resources
Yuba County Office of Education
Human Resources Department
935 14th Street, Marysville, CA 95901
530-749-4870
mary.hang@yubacoe.k12.ca.us

Firearms Safety Memorandum

To: Parents and Guardians of Students in Yuba County Office of Education Programs

From: Rob Gregor, Yuba County Superintendent of Schools

Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in Yuba County Office of Education programs of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.¹
 - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian,

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

unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.²

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.³
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.⁴

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely,



Rob Gregor
Yuba County Superintendent of Schools

² See California Penal Code section 25100(c).

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.

Series 4000 – Personnel

SP 4119.21

TITLE: Professional Standards

Approved by: <u><i>Rob Gregor</i></u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Personnel Version: 2 Effective Date: 3/1/2024 Previous Policy Date: Unknown Revised By: Committee Policy Number: SP 4119.21
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Yuba County Office of Education (YCOE) expects employees to maintain the highest ethical standards, behave professionally, follow YCOE policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of YCOE, advances the goals of the educational programs, and contributes to a positive school climate.

YCOE encourages employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of students.

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence or threats of violence
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or

community members

7. Willfully disrupting school operations by loud or unreasonable noise or other action
 8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on YCOE property, or at a school-sponsored activity
 9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
 10. Divulging confidential information about students, YCOE employees, or YCOE operations to persons or entities not authorized to receive the information
 11. Using YCOE equipment or other resources for the employee's own commercial purposes or for political activities
 12. Using YCOE equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity
- Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of YCOE technological resources at any time without the employee's consent.
13. Causing damage to or engaging in theft of property belonging to students, staff, or YCOE
 14. Wearing inappropriate attire

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to YCOE's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also

be subject to discipline.

YCOE prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in YCOE's complaint process shall be subject to discipline.

Notifications

The section(s) of YCOE's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or YCOE web sites. (Education Code 44050)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Commission on Teacher Credentialing
Publication

Commission on Teacher Credentialing
Publication

Council of Chief State School Officers
Publication

National Education Association
Publication

Website

Website

Website

Website

Website

Website

WestEd Publication

Description

California Standards for the Teaching Profession, 2009

California Professional Standards for Educational Leaders,
February 2014

Professional Standards for Educational Leaders, 2015

Code of Ethics of the Education Profession, 1975

[WestEd](#)

[Council of Chief State School Officers](#)

[California Teachers Association](#)

[California School Employees Association](#)

[California Federation of Teachers](#)

[Association of California School Administrators](#)

Moving Leadership Standards into Everyday Work:
Descriptions of Practice, 2003

State

5 CCR 80303

5 CCR 80331-80338

Ed. Code 44050

Ed. Code 44242.5

Pen. Code 11164-11174.4

Cross References

Code

4112.2

4112.2

Description

Reports of change in employment status, alleged misconduct

Rules of conduct for professional educators

Employee code of conduct; interaction with students

Reports and review of alleged misconduct

Child Abuse and Neglect Reporting Act

Description

[Certification](#)

[Certification](#)

Series 4000 – Personnel

E 4119.21

TITLE: Professional Standards

Approved by: _____

*Rob Gregor**Rob Gregor, Superintendent of Schools*Series: **Personnel**Version: **2**Effective Date: **3/1/2024**Previous Policy Date: **1/1/2008**Revised By: **Committee**Policy Number: **E 4119.21****CODE OF ETHICS OF THE EDUCATION PROFESSION****Preamble**

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

Principle I. Commitment to the Student

The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety
5. Shall not intentionally expose the student to embarrassment or disparagement

6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage
8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

Principle II. Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation of the profession, the educator:

1. Shall not in any application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications
2. Shall not misrepresent his/her professional qualifications
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position
5. Shall not assist a noneducator in the unauthorized practice of teaching
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law
7. Shall not knowingly make false or malicious statements about a colleague
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action

Source: National Education Association, 1975

Policy Reference Disclaimer:

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Management Resources

	Description
Commission on Teacher Credentialing Publication	California Standards for the Teaching Profession, 2009
Commission on Teacher Credentialing Publication	California Professional Standards for Educational Leaders, February 2014
Council of Chief State School Officers Publication	Professional Standards for Educational Leaders, 2015
National Education Association Publication	Code of Ethics of the Education Profession, 1975
Website	WestEd
Website	Council of Chief State School Officers
Website	California Teachers Association
Website	California School Employees Association
Website	California Federation of Teachers
Website	Association of California School Administrators
WestEd Publication	Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

State

5 CCR 80303	Description Reports of change in employment status, alleged misconduct
5 CCR 80331-80338	Rules of conduct for professional educators
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Pen. Code 11164-11174.4	Child Abuse and Neglect Reporting Act

Cross References

Code

	Description
4112.2	Certification
4112.2	Certification

Series 5000 – Students

SP 5141.31

TITLE: Immunizations

Approved by: <u>Rob Gregor</u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Students Version: 2 Effective Date: 4/1/2025 Previous Policy Date: 9/11/2002 Revised By: Committee Policy Number: SP 5141.31
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To protect the health of all students and staff and to curtail the spread of infectious diseases, the Yuba County Office of Education (YCOE) shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

Each student enrolling for the first time in a school, preschool, or child care and development program or enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that the student has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

Transfer students shall be requested to present immunization records upon registration at schools if possible.

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school. (Education Code 48980, 49403)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

17 CCR 6000-6075
 5 CCR 430
 Ed. Code 44871
 Ed. Code 46010
 Ed. Code 48216
 Ed. Code 48853.5
 Ed. Code 49403

Description

[School attendance immunization requirements](#)
 Individual student records; definition
 Qualifications of supervisor of health
 Total days of attendance
 Immunization
 Immediate enrollment of foster youth
 Cooperation in control of communicable disease and immunizations

Ed. Code 49426	Duties of school nurses
Ed. Code 49701	Flexibility in enrollment of children of military families
H&S Code 120325-120380	Immunization against communicable diseases
H&S Code 120335	Immunization requirement for admission
H&S Code 120395	Information about meningococcal disease, including recommendation for vaccination
H&S Code 120440	Disclosure of immunization information
Federal	Description
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11432	Immediate enrollment of homeless children
Management Resources	Description
California Department of Public Health Publication	Parents' Guide to Immunizations Required for School Entry
California Department of Public Health Publication	Parents' Guide to Immunizations Required for Child Care
California Department of Public Health Publication	Guide to Immunizations Required for School Entry
California Department of Public Health Publication	Guide to Immunizations Required for Child Care
U.S. Department of Education Guidance	Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009
Website	Education Audit Appeals Panel
Website	Centers for Disease Control and Prevention
Website	California Department of Public Health, Shots for Schools
Website	California Department of Public Health, Immunization Branch
Cross References	
Code	Description
5111	Admission
5111	Admission
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth

Series 5000 – Students

AR 5141.31

TITLE: Immunizations

Approved by: <u>Rob Gregor</u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Students Version: 2 Effective Date: 4/1/2025 Previous Policy Date: 9/11/2002 Revised By: Committee Policy Number: AR 5141.31
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Required Immunizations

Upon a student's registration at a Yuba County Office of Education (YCOE) program, the Superintendent or designee shall provide the student's parents/guardians a written notice summarizing the state's immunization requirements.

The Superintendent or designee shall not unconditionally admit any student to a school, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present documentation of full immunization, in accordance with the age/grade and dose required by the California Department of Public Health (CDPH), against the following diseases: (Health and Safety Code 120335; 17 CCR 6025)

1. Measles, mumps, and rubella
2. Diphtheria, tetanus, and pertussis (whooping cough)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease deemed appropriate by CDPH

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

It is advised that students adhere to current human papillomavirus (HPV) immunization guidelines before admission or advancement to the 8th grade level.

A student who qualifies for an individualized education program (IEP), unless otherwise exempt,

shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, YCOE shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related services required by the student's IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070. The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR). (17 CCR 6070)

Exemptions

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary. (Health and Safety Code 120372)

A student who has a medical exemption issued prior to January 1, 2020 shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above. (Health and Safety Code 120370)

A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span. (Health and Safety Code 120372)

If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below. (Health and Safety Code 120372)

The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation. (Health and Safety Code 120372, 120372.05)

2. The student's parent/guardian filed with the district, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to the student's personal beliefs, in which case the student shall be exempted from the immunization until the student enrolls in the next applicable grade span requiring immunization (birth to preschool,

grades K-6, grades 7-12). (Health and Safety Code 120335)

When a student transfers to a different school within the district or transfers into the district from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the district shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the district from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.

3. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction. (Health and Safety Code 120335)

Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission. The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035. (Health and Safety Code 120340; 17 CCR 6035)

In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6035)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time of enrollment. School or district staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that the student is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, the student shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6040, 6070)

Exclusions Due to Lack of Immunizations

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for

unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

The Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school until documentation is provided indicating that the student has received a dose of each required vaccine due at that time. (17 CCR 6040, 6055)

The student shall also be reported to the attendance supervisor or principal.

Exclusion Due to Exposure to Disease

If YCOE has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

Records

Each student's immunization record shall be retained as part of the student's mandatory permanent student record. YCOE staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

YCOE shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

At least annually, the Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH. (Health and Safety Code 120375; 17 CCR 6075)

Audits

If an audit reveals deficiencies in YCOE's reporting procedures, the Superintendent or designee shall present the Board with a plan to remedy such deficiencies.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or

authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
17 CCR 6000-6075	School attendance immunization requirements
5 CCR 430	Individual student records; definition
Ed. Code 44871	Qualifications of supervisor of health
Ed. Code 46010	Total days of attendance
Ed. Code 48216	Immunization
Ed. Code 48853.5	Immediate enrollment of foster youth
Ed. Code 49403	Cooperation in control of communicable disease and immunizations
Ed. Code 49426	Duties of school nurses
Ed. Code 49701	Flexibility in enrollment of children of military families
H&S Code 120325-120380	Immunization against communicable diseases
H&S Code 120335	Immunization requirement for admission
H&S Code 120395	Information about meningococcal disease, including recommendation for vaccination
H&S Code 120440	Disclosure of immunization information
Federal	Description
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11432	Immediate enrollment of homeless children
Management Resources	Description
California Department of Public Health Publication	Parents' Guide to Immunizations Required for School Entry
California Department of Public Health Publication	Parents' Guide to Immunizations Required for Child Care
California Department of Public Health Publication	Guide to Immunizations Required for School Entry
California Department of Public Health Publication	Guide to Immunizations Required for Child Care
U.S. Department of Education Guidance	Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009
Website	Education Audit Appeals Panel
Website	Centers for Disease Control and Prevention
Website	California Department of Public Health, Shots for Schools
Website	California Department of Public Health, Immunization Branch
Cross References	Description
Code	
5111	Admission
5111	Admission
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children

6173-E(2)

[Education For Homeless Children](#)

6173.1

[Education For Foster Youth](#)

6173.1

[Education For Foster Youth](#)