

2025 - 2026

STUDENT HANDBOOK

SPECIAL EDUCATION PROGRAMS



SAN JOAQUIN COUNTY
OFFICE OF EDUCATION



SAN JOAQUIN COUNTY OFFICE OF EDUCATION
Troy A. Brown, Ed.D., County Superintendent of Schools



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Dear Student,

Welcome to a brand new school year! We're excited to begin this journey with you and look forward to all the growth, learning, and successes the year ahead will bring. Whether you're returning or joining us for the first time, know that you are an important part of the school community – a place designed with you in mind.

We recognize that each student learns in their own way, and that's something we value deeply. As a student with an Individualized Education Plan (IEP), you will receive specialized support and services designed to help you succeed. Your IEP is a roadmap tailored just for you—it outlines your goals, accommodations, and the supports you need to thrive in your learning environment. Our team is committed to making sure your education is meaningful, inclusive, and focused on helping you reach your full potential.

Our program is built to provide a flexible and personalized approach to learning, with small class sizes, dedicated case managers, and wraparound services like mental health support and family engagement. You are not alone in this journey—our staff is here to support and guide you every step of the way.

Our mission is simple, to help you develop the skills, confidence, and knowledge to succeed in school and in life. This means helping you:

1. Appreciate yourself and others;
2. Grow as a critical thinker and problem-solver;
3. Build skills for the workplace; and
4. Celebrate your unique strengths and accomplishments.

We are committed to providing a safe, equitable, and respectful learning environment for all students. This year, we encourage you to embrace new opportunities, speak up when you need support, and celebrate your achievements—no matter how big or small. Your teachers, specialists, and support staff believe in you, and we're here to help make this your best year yet.

Let's make this a year of growth, discovery, and achievement - together!

Sincerely,

Division Director, Special Education

School Directory

Main Office – San Joaquin County Office of Education

Physical Address: Wentworth Education Center
2707 Transworld Drive
Stockton, CA 95206

Mailing Address: San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030

Phone: (209) 468-9279 (Main)

General Support Contacts

Service	Phone Number
Attendance Hotline	(209) 468-9055
Technical Support	(209) 468-9137
Family Engagement Services	(209) 290-2146

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SPECIAL EDUCATION PROGRAM

Program Information

Special Education Programs serve students with disabilities not otherwise served in the school districts that make up the San Joaquin Special Education Local Plan Area (SELPA), primarily for students with extensive support needs.

Our programs serve students diagnosed with autism, visual impairment and deaf and hard of hearing, intellectual disability, multiple disabilities, and students with emotional disability. The department supports every child's right to an education designed to meet individual needs. It is essential to provide experiences that will enable the individual to:

1. Develop ultimate functioning level;
2. Learn in an environment that facilitates comfort, security and is not limited by physical barriers; and
3. Utilize those critical skills and attitudes necessary to adapt and function in everyday life.

All children are active learners and have potential for growth. It is our goal to protect and nurture personal dignity, ensure health and safety, and promote understanding of the child.

Program Offerings

Autism Programs

Provides students utilizing evidence-based practices with Applied Behavior Analysis (ABA) as the foundation for the delivery of instruction. As appropriate, students participate in activities with the same age, typically developing peers.

BELIEVE! (Building Excellence through Life Skills, Intervention, Education, and Valuable Experiences)

The BELIEVE! program provides services for kindergarten through high school and is designed to promote a positive collaborative learning environment with mental health and behavior intervention services to students who experience challenges prohibiting them from being successful in an academic environment due to social, academic, emotional, and behavioral issues. BELIEVE! provides social emotional skills teaching and practice to assist student's ability to regulate their emotions and to communicate effectively.

Learning Environment - We strive to create a positive and collaborative learning environment for students experiencing social, academic, emotional, and behavioral challenges. We provide focused teaching to strengthen social-emotional development assisting students in regulating their emotions and reaching their full potential. Evidence-based strategies include counseling, trauma-informed care, and mindfulness-based interventions.

Staff and Community Training - Staff members are provided professional development training on various topics once per month. Our staff receive specialized training in recognizing and understanding mental health symptoms, building positive relationships, de-escalation strategies, evasion techniques, and Pro-Act. Community trainings are held with local agencies (i.e. police departments and school districts) about our treatment program.

School Team

- Teachers and Instructional Assistants

- Licensed Mental Health Clinicians
- School Psychologists
- Board Certified Behavior Analysts (BCBA)
- Speech Therapists
- Parent/Community/School Liaisons
- Occupational Therapists
- Credentialed School Nurses
- Teachers for the Visually Impaired
- Adapted Physical Education Specialists

Mental Health - Conditions seen in the BELIEVE! Program include:

- Major Depression
- Anxiety Disorder
- ADHD
- Bipolar Disorder
- Mood Disorder Due to a General Medical Condition
- Substance-Induced Mood Disorder
- Psychotic Disorders
- Borderline Personality Disorder and Traits

Connections!

Connections! is designed to meet the needs of preschool and transitional kindergarten (TK) students with specialized needs. The program is based on ABA and employs evidence-based practices. Classrooms are highly structured and incorporate various techniques, such as discrete trial training, pivotal response training, and visual communication systems. Instruction is personalized according to each student's Individualized Education Plan (IEP). Student progress toward their goals is regularly measured and monitored through data tracking and analysis.

Our Approach - Students benefit from an interdisciplinary approach where educators collaborate to provide a comprehensive program. Teams may include:

- Parents/Caregivers
- Teachers
- Educational Behavior Analysts
- Speech and Language Pathologists
- Occupational Therapists
- Instructional Assistants
- School Psychologists
- School Registered Nurses
- Licensed Vocational Nurses

A Typical Day - The Connections! Program functions similarly to a general education preschool with the goal of equipping students with the foundational skills necessary for independent learning. Students engage in individualized instruction, small-group activities, circle time, self-care routines, functional communication, appropriate behavior development, and play and social skills practice. Learning is facilitated through both structured teaching and naturalistic play. Daily social interactions are provided both among peers within the class and with general education students on campus.

Staff Training - Teachers and staff working in Connections! programs receive monthly training on a variety of evidence-based practices used in the classrooms. Training is provided by educational behavior analysts, speech and language pathologists, occupational therapists, mentor teachers, and experts in the field of ABA. Treatment integrity is consistently monitored using a consultative

coaching model. For more information regarding evidence-based practices, please visit <http://autismpdc.fpg.unc.edu/>.

Deaf and Hard of Hearing

Total Communication: Classes follow a developmental model and regular core curriculum with appropriate modifications as well as adaptive and assistive devices to enhance learning. There is an overall emphasis on communication and language development with a total communication approach is utilized.

Early Intervention

Toddler Program (California Early Start) - This program provides children, birth to 3 years old, family focused services in a natural environment. All students identified as solely low incidence.

Extensive Support Needs Preschool Program - This population provides early intervention for three- to five-year old students who have some combination of identified disabling conditions. Guided by the child's IEP, classes focus on self-help, communication, social, motor, and cognitive skills. When appropriate, students participate in activities with same age, non-handicapped peers.

Deaf and Hard of Hearing (DHOH) Total Communication Preschool Program

DHOH provides special programs for three- to five-year old students with hearing impairments. Guided by the child's IEP, classes focus on communication (utilizing sign language and voice), social, self-help motor and cognitive skills. In addition, students participate in activities with same age, typically developing peers when appropriate.

Extensive Support Needs

Classes emphasize functional-skills curriculum in the areas of academics, communication, independent living, social/adaptive skills, and vocational training. All classes use community based instructions as well as integration on the regular campus.

McFall School

McFall is a specialized center serving preschool students beginning at age 3. Guided by the child's IEP, all classes focus on self-help, communication, social, motor, and cognitive skills. Thematic teaching is a common thread throughout classes, as is an emphasis on language development. Head Start is an integral part of the school with children mainstreamed as appropriate to provide regular preschool integration.

Orthopedically Impaired

Emphasis is on the regular core curriculum. Materials and instructional methodologies are modified as appropriate to meet individual student needs.

Redwood School

Redwood is a specialized center serving students ages 6 to 22. The program emphasizes a functional curriculum with independent living, vocational education, and a community-based instructional delivery system. For the youngest students, motor development and communication skills are also emphasized. A variety of vocational education opportunities are also offered.

Transition Class for Young Adults with Extensive Support Needs

This class provides vocational training, assessment, and ongoing functional academic training for extensive support needs students who are in transition from high school age to the world of work, supported employment or other adult settings.

Admission & Enrollment

Students may be referred to the San Joaquin County Office of Education (SJCOE) Special Education Program by their local school district. Parents must first enroll their child in the district where they reside and provide a copy of the student's current IEP. The district will review the information, complete the necessary paperwork, and submit a referral to SJCOE if appropriate. A referral meeting will then be scheduled by the district, with an SJCOE administrator in attendance. During the meeting, the team will determine the least restrictive and most appropriate educational placement for the student. If placement in an SJCOE program is agreed upon, parents will complete enrollment and registration directly with SJCOE.

Graduation Requirements for Students with Moderate to Severe Disabilities

Students receiving Special Education services under a moderate to severe designation may work toward a *Certificate of Completion* rather than a traditional high school diploma. In accordance with California Education Code and local district policy, these students may remain in school through the end of the school year in which they turn 22. The Certificate of Completion recognizes progress toward individualized goals as outlined in the student's IEP, including participation in functional academics, life skills, and transition services that prepare the student for adult life. The awarding of a certificate does not equate to a diploma, but students continue to access educational and vocational services until aging out at 22.

STUDENT CODE OF CONDUCT

SJCOE administration, teachers, and staff strive to create positive educational settings that are safe and productive for all students. Students are expected to adhere to a strict code of conduct while at school or any school sponsored event. Students are expected to follow all program and school rules at all times and respect themselves, others, and their property. Therefore, students should be aware of possible consequences for negative or inappropriate behavior. Disciplinary action taken by school officials are a direct consequence of unacceptable behavior by a student. The Superintendent has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of their teacher and others in authority; be diligent in study; respectful to their teacher and others in authority; kind and courteous to classmates; and refrain entirely from the use of profane, vulgar, or abusive language. (Cal. Code Regs., Tit. 5, § 300).

Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activities or attendance and causes or is reasonably likely to cause a substantial disruption to school activities. For example, a student using technology such as a home computer, cellular phone, or other electronic communication device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours.

Field trips, Quests, and school-sponsored events are considered to be part of the educational program. Participants/spectators carry responsibilities as representatives of their schools. All rules of the Student Code of Conduct apply.

The Acknowledgement of Receipt of the Student Handbook and Annual Parent Notice of Rights and Responsibilities reflects that the Student Code of Conduct has been read and understood.

PARENT/GUARDIAN DUTIES & RESPONSIBILITIES

A student's experience in SJCOE will depend largely upon the student's own efforts; however, parent/guardian cooperation will greatly enhance the likelihood of success. As a partner in your student's education, we are asking you for the following:

1. Make regular attendance at school your student's primary job.
2. Send your student to school every school day except when the student is ill.
3. Contact the Attendance Hotline at (209) 468-9055 as soon as you know that your student will be late or is not coming to school.
4. Send a doctor's note to school with your student for absences due to illness beyond three consecutive days.
5. Require regular sleep hours.
6. Be aware of and provide for your student's transportation needs.
7. Be aware of and provide for your student's appropriate appearance and grooming.
8. Schedule all appointments, including medical and dental, before or after school hours.
9. If an appointment must be scheduled during school hours, please have your student attend school until the time of the appointment or attend school after the appointment concludes.
10. Please have your student bring a signed/stamped doctor's note to school following any medical/dental appointment.
11. Keep in contact with your student's teacher.
12. Attend all meetings at the school site concerning your student.
13. Continue to arrange and support services your student may be receiving outside the school setting such as counseling, medical monitoring, administration of medicine, etc.
14. Make arrangements with the site administrator if you wish to visit your student's school site¹.

HOME-SCHOOL COMPACT

The parents/guardians/students agree that this compact outlines how the entire school staff and students will share responsibility for improved student academic achievement and the means by which the school and students will build and develop a partnership that will help students achieve California's high standards. As partners, we agree to make a commitment to work together to carry out the following:

School Responsibilities

- **SJCOE will provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students access to California's student academic achievement standards as follows:**
 - Staff will participate in professional development opportunities that improve teaching and learning and support the formation of partnerships with families and the community.
 - Teachers will collaborate with one another regularly and participate in shared decision-making with other school staff and families for the benefit of students.
 - Strategic use of data to assess student learning and appropriate adjustments to instruction and academic interventions.

¹ Refer to Appendix A

- Provide curriculum and appropriately designed instruction centered around students' IEP.
 - Communicate high expectations for every student.
 - Motivate all students to learn.
 - Staff are committed toward implementing Evidence-Based Practices (EBP), Positive Behavioral Interventions and Supports (PBIS), and Restorative Practices (RP) and will enforce school rules equitably and involve students in creating positive school site culture.
 - Provide assistance to families on what they can do to support their students' learning.
 - Respect the school, staff, students, and families.
- All teachers hold valid credentials or permits issued by the California Commission on Teacher Credentialing (CCTC), ensuring qualified support for students' academic and emotional well-being.
 - Hold IEP meetings and/or individual conferences to discuss this compact as it relates to the individual student's achievement.
 - For students receiving report cards, provide frequent reports on student's progress. Specifically, the school will provide reports as follows:
 - Progress report cards will be mailed home.
 - Students can contact their teacher(s) for grades or academic progress.
 - Teachers review grades at conferences.
 - Provide reasonable access to staff. Specifically, staff will be available for consultation as follows:
 - Students may reach out to teachers and administrators as needed by calling, emailing, or meetings.
 - School site specific addresses and important phone numbers will be provided to students at the time of enrollment, and/or orientation.

Parent/Guardian Responsibilities

Parents and guardians share in the responsibility for supporting their student's learning by:

- Encouraging regular conversations with their student about the value of education.
- Communicating with the school when concerns arise and requesting translation services if needed.
- Ensuring their student attends school daily, arrives on time, and completes assigned work.
- Supporting school rules, including behavioral expectations and the dress code policy.
- Monitoring academic progress and celebrating achievements.
- Making every effort to attend parent-teacher conferences and school events.
- Providing a healthy routine that includes sleep, nutrition, and regular medical care.
- Participating in educational decisions, as appropriate.
- Respecting the school community, including staff, students, and other families.
- Keeping contact information current and accurate.
- Serving on advisory groups, such as the School Site Council, when possible.
- Promoting positive and productive use of extracurricular time.
- Staying informed by reading school communications and responding when needed.

Student Responsibilities

Students will share the responsibility to improve their academic achievement and achieve California's high standards by:

- Believing they can learn and will learn.
- Coming to class on time, ready to learn, and with assignments completed.
- Setting aside time every day to complete homework.
- Knowing and following the school rules, as well as the dress code policy.
- Regularly talking to teachers about progress in school.
- Respecting the school, classmates, and staff.
- Asking for help when needed and accepting help from staff and peers.

SCHOOL SCHEDULE

Each student will be assessed to determine the most appropriate school placement. Attendance is required Monday through Friday. Please refer to your designated school or program's parent calendar for specific holidays and school break dates.

Holidays & School Breaks

SJCOE recognizes the following holidays:

Friday, July 4, 2025	Independence Day
Monday, September 1, 2025	Labor Day
Tuesday, November 11, 2025	Veteran's Day
Thursday - Friday, November 27-28, 2025	Thanksgiving Break
Monday, January 19, 2026	Martin Luther King, Jr. Day
Monday, February 9, 2026.....	Lincoln's Birthday
Monday, February 16, 2026.....	President's Day
Monday, May 25, 2026	Memorial Day
Friday, June 19, 2026.....	Juneteenth

ATTENDANCE

Regular attendance is essential for academic success. Students are required to attend school daily or as scheduled, arrive on time, and remain in class until dismissed by the teacher-in-charge. Absences from school will be determined to be excused or unexcused pursuant to EC § 48205:

- a. A pupil shall be excused from school when the absence is:
 1. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
 2. Due to quarantine under the direction of a county or city health officer.
 3. For purposes of having medical, dental, optometrical, or chiropractic services rendered.
 4. For purposes of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
 5. For purposes of jury duty in the manner provided for by law.
 6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.
 7. For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's

religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.

8. For purposes of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For purposes of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For purposes of attending the pupil's naturalization ceremony to become a United States citizen.
11. For purposes of participating in a cultural ceremony or event.
12. A. For purposes of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
 - B. i. A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
 - ii. A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision 13. (c) of Section 48260.
13. A. For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.
 - i. To access services from a victim services organization or agency.
 - ii. To access grief support services.
 - iii. To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.
- B. Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.
14. Due to the pupil's participation in military entrance processing.
15. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- b. A pupil absent from school pursuant to this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit for those assignments and tests. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- c. For purposes of this section, attendance at religious retreats shall not exceed one schoolday per semester.
- d. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- e. For purposes of this section, the following definitions apply:
 1. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
 2. "Cultural" means relating to the practices, habits, beliefs, and traditions of a certain group of people.

3. "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
4. "Victim services organization or agency" has the same meaning as defined in subdivision (j) of Section 12945.8 of the Government Code.

(Amended by Stats. 2024, Ch. 967, Sec. 2.3. (AB 2499) Effective January 1, 2025.)

For an excused absence, one of the following two conditions must be met:

1. Parent/Guardian/Adult student must excuse the absence by telephone; and/or
2. Written verification must be received by the school the day the student returns to school.

Absences may be excused by calling the school Attendance Hotline at (209) 468-9055 or by email at spedattendance@sjcoe.net. Absences for illnesses beyond three consecutive days may require a doctor's note. Absences may only be cleared for the previous two weeks school was in session.

TRUANCY/TIERED RE-ENGAGEMENT

The truancy and intervention mission is to construct a student support system with daily outreach to eliminate barriers that contribute to truancy.

The Truancy and Intervention team, along with student's teachers, monitors student attendance regularly and will initiate appropriate intervention strategies, as needed, to address concerning attendance patterns.

Truant/Tiered Re-Engagement Definitions

Truant: Any pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without a valid excuse three full days, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or the superintendent of the school district. (EC § 48260[a])

Habitual Truant: Any pupil is deemed a habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed a habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by § 48260 or § 48261. For purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call. (EC § 48262)

Chronic Truant: Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10% or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with EC § 48260, 48260.5, 48261, 48262, 48263, and 48291 (EC § 48263.6).

Pursuant to EC § 48260.5, SJCOE is required to notify you of the following information:

- a. That the pupil is truant.
- b. That the parent or guardian is obligated to compel the attendance of the pupil at school.
- c. That alternative educational programs are available in the school district.
- d. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.

- e. That mental health and supportive services may be available to the pupil and the family.
- f. That school personnel are available to meet with the pupil and family to develop strategies to support the pupil's attendance at school.
- g. That research shows that missing 10 percent of school for any reason can translate into pupils having difficulty learning to read by third grade, achieving in middle school, and graduating from high school.

IMPORTANT NOTICE:

SJCOE is required to notify the San Joaquin County Human Services Agency of habitually truant students who are also receiving Temporary Aid to Needy Families (TANF) benefits. In such cases, your TANF benefits may be reduced (sanctioned).

Tiered Re-Engagement Process

TIER 0: Daily notification of student nonattendance day or lack of participation.

TIER 1: A Violation of Master Agreement Letter #1 **is mailed home** after **three days of non-participation in synchronous instruction**.

TIER 2: A Violation of Master Agreement Letter #2 **is mailed home** after **five days of non-participation in synchronous instruction**.

TIER 3: Evaluation of Continued Independent Study Enrollment for students not generating attendance for more than 10% of required minimum instructional time over four continuous weeks OR not making satisfactory educational progress OR in violation of the students' Master Agreement

Truancy Process

TIER 0: Daily notification of student absence via automated messaging and staff outreach.

TIER 1: Student is identified as a truant after **three unexcused absences and Truancy Letter #1 is mailed home. EC § 48260.5.**

TIER 2: Parents are contacted by the administrator to discuss attendance. Student is identified as a truant after **ten unexcused absences and Truancy Letter # 2 is mailed home.**

TIER 3: Student is identified as a habitual truant after **15 unexcused absences and Truancy Letter #3 is mailed home. EC § 48260.5.** An IEP meeting may be scheduled and held with all team members to address any barriers to attendance.

TIER 4: Student is identified as chronically truant after **20 unexcused absences and Truancy Letter #4 is mailed home or hand delivered. EC § 48260.5.**

CURRICULUM

Teachers may use an integrated, thematic approach to instruction. Subjects such as language arts and history may be combined to make learning more relevant and to help students process and retain information more efficiently. Lessons, assignments, and projects are centered around themes that bring continuity to the learning experience.

COLLEGE ADMISSION REQUIREMENTS & HIGHER EDUCATION

Each school year, a school district shall provide the parent/guardian of students in grades 9 through 12 with a written explanation of the requirements for admission to the California State University ("CSU") and the University of California ("UC") systems. (EC § 51229)

To qualify for admission to the UC or CSU systems, high school students must meet the "Subject Requirements," otherwise known as the "A-G" requirements. To learn more about college admission requirements, please visit the [UC](#) or [CSU](#) websites or your student's counseling office.

CTE may be offered as career and workforce preparation, advanced training preparation, building new skills, and/or building existing skills. CTE provides high school students 16 years of age or older with valuable career and technical education so students can:

1. Enter the workforce with skills and competencies to be successful;
2. Pursue advanced training in postsecondary educational institutions;
3. Build existing skills and knowledge; or
4. Satisfy a graduation requirement and a subject matter requirement for admission to the UC and CSU.

Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or to enroll in CTE courses, or both.

To learn more about CTE, please visit the [California Department of Education's website](#) at www.cde.ca.gov. To learn more about the District's career technical education classes, please visit [San Joaquin County Office of Education's website](#) at www.sjcoe.org.

Information about your child may be shared with the California College Guidance Initiative ("CCGI") to provide students and families with direct access to online tools and resources for college and career planning. This data sharing will enable your student to transmit information to CCGI for the purposes of admissions, academic placement, and financial aid. Please visit the CaliforniaColleges.edu platform to access resources that help students and families learn more about college admissions requirements. (EC § 51229(a).)

GRADING & ASSESSMENTS

Progress/Report Cards

The Special Education Program operates on a quarter system. Report cards are awarded four times per school year, at the end of each quarter system reporting period. IEP Progress reports will be issued quarterly.

Quarter System Grade Reporting Periods

Lincoln Unified School District

- End of Quarter 1: October 3, 2025
- End of Quarter 2: December 19, 2025
- End of Quarter 3: March 12, 2026
- End of Quarter 4: May 28, 2026
- Progress Reports will be issued mid-quarter

Manteca Unified School District

- End of Quarter 1: October 3, 2025

- End of Quarter 2: December 19, 2025
- End of Quarter 3: March 13, 2026
- End of Quarter 4: May 29, 2026
- Progress Reports will be issued mid-quarter

Assessments

Every year, California students take several statewide tests. When combined with other measures, such as grades, class work, and teacher observations, these tests give families and teachers a more complete picture of the student's learning. Test results can be used to identify where students are doing well and where more support might be needed.

Students may be taking one or more of the following California Assessment of Student Performance and Progress (CAASPP), English Language Proficiency Assessments for California (ELPAC), and Physical Fitness Test assessments. Pursuant to California *EC* § 60615, parents/guardians/adult students may annually submit to the school a written request to excuse their child/themselves from any or all of the CAASPP assessments. This exemption does not exist for the ELPAC or Physical Fitness Test.

State mandated tests include:

- English Language Proficiency Assessments for California (ELPAC)
 - Initial ELPAC
 - Who takes the test? Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English.
 - What is the test format? The Initial ELPAC is computer-based.
 - Which standards are tested? The 2012 California English Language Development Standards.
 - Summative ELPAC
 - Who takes the test? Students who are classified as English learner students will take the Summative ELPAC every year until they are reclassified as proficient in English.
 - What is the test format? The Summative ELPAC is computer-based.
 - Which standards are tested? The 2012 California English Language Development Standards.
 - Initial Alternate ELPAC
 - Who takes the test? Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the Alternate Initial ELPAC, which identifies students as an English learner student or as initially fluent in English.
 - What is the test format? The Initial Alternate ELPAC is computer-based.
 - Which standards are tested? Alternate English Language Development (ELD) Connectors derived from the 2012 California English Language Development Standards.
 - Summative Alternate ELPAC
 - Who takes the test? Students whose IEP identifies the use of an alternate assessment and who are classified as English learner students will take the Alternate Summative ELPAC every year until they are reclassified as proficient in English.
 - What is the test format? The Summative Alternate ELPAC is computer-based.
 - Which standards are tested? Alternate ELD Connectors derived from the 2012 California English Language Development Standards.
- California Assessment of Student Progress and Performance (CAASPP)
 - Smarter Balanced Assessments for English Language Arts/Literacy (ELA) and Math
 - Who takes these tests? Students in grades 3–8 and grade 11 take these tests.

- What is the test format? The Smarter Balanced assessments are computer-based.
 - Which standards are tested? The California Common Core State Standards.
- California Alternate Assessments (CAAs) for ELA and Math
 - Who takes these tests? Students whose individualized education program (IEP) identifies the use of alternate assessments take the CAAs for ELA and Math in grades 3–8 and grade 11.
 - What is the test format? The CAAs for ELA and Math are computer-based tests that are administered one-on-one by a test examiner who is familiar with the student.
 - Which standards are tested? Alternate achievement standards called the Core Content Connectors derived from the California Common Core State Standards.
- California Science Test (CAST)
 - Who takes the test? Students take the CAST in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.
 - What is the test format? The CAST is computer-based.
 - Which standards are tested? The California Next Generation Science Standards (CA NGSS).
- California Alternate Assessment (CAA) for Science
 - Who takes the test? Students whose IEP identifies the use of an alternate assessment take the CAA for Science in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.
 - What is the test format? The CAA for Science is a computer-based series of four embedded performance tasks. The test is administered one-on-one by a test examiner who is familiar with the student shortly after the science content is taught.
 - Which standards are tested? Alternate achievement standards called the Core Content Connectors derived from the California Next Generation Science Standards (CA NGSS).
- California Spanish Assessment (CSA)
 - Who takes the test? The CSA is an optional test for students in grades 3–12 that tests their Spanish reading, listening, and writing mechanics.
 - What is the test format? The CSA is computer-based.
 - Which standards are tested? The California Common Core State Standards en Español.
- Physical Fitness Testing (PFT)
 - Who takes the test? Students in grades 5, 7, and 9 will take the FITNESSGRAM®, which is the test used in California.
 - What is the test format? The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility.
 - What is reported? Student participation (by component, by grade level) shall be reported in the local educational agency's Student Accountability Report Card.
- Test for Adult Basic Education (TABE)
 - A standardized assessment used in adult education programs to evaluate students' basic skills in reading, math, and language.

Diagnostic Assessment Windows

- Fall: August 5-29, 2025
- Winter: January 6-30, 2026

Initial assessment is completed to determine individual student needs. This may include but is not limited to: review of existing special education records; information on students in Licensed Care Institutes (LCI); academic pre-tests (to determine program placement); evaluation of transcripts; informal teacher interview; program orientation; and/or diagnostic assessment in math and reading.

Ongoing assessment of pupil progress occurs to plan for immediate/future needs and to measure effectiveness of instruction. This may include, but not be limited to: projects (individual and/or group); tests in subject areas; student study team meetings; aptitude assessment; interest

assessment; individual assessment information gathered through special education assessment procedures; program writing assessments; computer aided student assessment in math and reading; report cards; writing rubric(s); and GBE and Professional Portfolio.

DRESS CODE

Any attire/paraphernalia/symbol that displays a logo or other message relating to alcohol, tobacco, drugs, gangs, or dress deemed inappropriate or distracting for the school setting may not be worn on school campuses or at school-related activities. This includes, but is not limited to, gang-affiliated colors in clothing and accessories. Any student who violates the dress code shall be subject to appropriate disciplinary action.

ELECTRONIC DEVICE POLICY

Overview

The Superintendent recognizes that the use of smartphones and other mobile communication devices on SJCOE campuses may be beneficial to student learning and well-being, but could be disruptive of the instructional program in some circumstances. The Superintendent permits limited use of mobile communication devices on campus in accordance with law and the following policy.

Use of Electronic Devices

Pursuant to Superintendent Policy 5131.8, students in SJCOE instructional programs may use electronic devices including but not limited to cell phones, smartwatches, headsets, earpods or other mobile communication devices on campus during non-instructional time as long as the device is utilized in accordance with law and any rules that individual school sites may impose.

Mobile communication devices shall be turned off during instructional time. However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances:

1. In the case of an emergency, or in response to a perceived threat of danger.
2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator.
3. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being.
4. When the possession or use is required by the student's Individualized Education Program (IEP).

Inappropriate Use of Electronic Devices

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person. When a school official reasonably suspects that a search of a student's mobile communication device will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with Superintendent Policy and Administrative Regulation 5145.12.

When a student uses a mobile communication device in an unauthorized manner, the student may be disciplined and an SJCOE employee may confiscate the device. The SJCOE employee shall store the device securely until it is returned to the student or turned over to the program administrator or designee, as appropriate. A student may also be subject to discipline, in accordance with law, superintendent policy, or administrative regulation, for off-campus use of a mobile communication device which poses

a threat or danger to the safety of students, staff, or SJCOE property or substantially disrupts school activities.

SJCOE will not be responsible for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

Progressive Disciplinary Action

If a student refuses to follow the electronic device policy, the following progressive disciplinary steps will be taken:

1st Violation: The device will be confiscated by a staff member and held for the remainder of the school day before being returned to the student. Parents or guardians will be contacted to discuss the violation.

2nd Violation: The device will only be returned to the student after communication has been made with the parent or guardian.

3+ Violations: Continued violations may result in a required parent/guardian conference to review the policy and reinforce expectations. In such cases, the device may be returned directly to the parent or guardian.

STUDENT ACCEPTABLE USE POLICY & COMPUTER USE AGREEMENT

The SJCOE and the SJCOE Data Processing Joint Powers Authority (DPJPA), hereinafter referred to as the "district", authorizes students to use technology owned or otherwise provided by the district as necessary for instructional purposes. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable policies, administrative regulations, and this Acceptable Use Policy and Computer Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all students to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

Each student who is authorized to use district technology and their parent/guardian shall sign an Acceptable Use Policy and Computer Use Agreement as an indication that they have read and understand the agreement.

Definitions

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the internet, email, software, cloud applications, artificial intelligence (AI) systems, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Student Obligations and Responsibilities

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

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

1. Access, post, display, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive.
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying").
3. Disclose, use, or disseminate personally identifiable information (such as name, address, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person.
4. Infringe on copyright, license, trademark, patent, or other intellectual property rights.
5. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers).
6. Install unauthorized software.
7. "Hack" into any system to manipulate data of the district or other users.
8. Engage in or promote any practice that is unethical or violates any law or policy, administrative regulation, or district practice.
9. Bypass or disable any security software, settings, or configurations.

Privacy

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

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the internet or social media, communications sent or received from district technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of district technology (such as web searches and emails) cannot be erased or deleted.

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

Personally Owned Devices

If a student uses a personally owned device to access district technology, they shall abide by all applicable policies, administrative regulations, and this Acceptable Use Policy and Computer Use Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

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

Consequences for Violation

Violations of the law, policy, or this agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, policy, or this agreement may be reported to law enforcement agencies as appropriate.

CONSENT FOR STUDENT USE OF ADDITIONAL GOOGLE SERVICES

As part of our ongoing effort to provide students with modern digital learning tools, we offer access to Google Workspace for Education. This includes both Core Services (e.g., Docs, Drive, Classroom) and Additional Services such as YouTube, Google Maps, and Google Translate.

These tools are used to complete assignments, foster collaboration, and develop digital skills. Students' school-managed Google account is governed by Google's Workspace for Education Privacy Notice and SJCOE's Acceptable Use Policy and Computer Use Agreement. Google does not serve ads or use personal information from Core or Additional Services to target advertising to K–12 users. Google's current policy is to require verified parent or guardian consent for students under the age of 18 to access any Additional Services. Learn more about the services Google provides, Third-party applications linked to Google Accounts, and their Privacy Policies by contacting Academic Technology Support at (209) 468-9137

Parent/Guardians/Adult Students acknowledge that:

- They consent to their child or themselves (adult students) to access both Core and Additional Google Services using their school-managed Google account.
- They consent to Third-party applications and their Privacy Policy linked to their school-managed Google account.
- They understand that some Additional Services and Third-party applications allow broader sharing or publishing of content and information, and usage is subject to teacher supervision and district filters.
- They may withdraw consent at any time by contacting their school's administration.

We encourage parents/guardians to talk to their minor child about responsible digital behavior and report any concerns to school.

The Acknowledgement of Receipt of the Student Handbook confirms that parents/guardians/adult students have read and understood the information regarding Google Workspace for Education services provided by the school and SJCOE's Acceptable Use Policy.

SUSPENSIONS & EXPULSIONS

A student shall not be suspended or expelled for any of the acts listed in EC § 48900 and 48915 unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A student may be suspended or expelled for acts that are listed in EC § 48900 and 48915 and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

- While on school grounds;
- While going to or coming from school;
- During the lunch period whether on or off campus; or
- While going to or coming from a school-sponsored activity.

The assistant superintendent, program administrator, or designee may suspend a student from a school site for any of the acts listed in the following pages for not more than five consecutive school days.

- Students accumulating 20 days of in-school and/or home suspension are subject to involuntary transfer to another school.
- Students may be suspended on the first offense if it is determined that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.
- A student can be removed from the classroom and school site via suspension for any of the acts listed in the following pages for the day of the offense and any additional days deemed necessary by the site administrator based on the severity of the offense.
- Students may be denied the privilege of participation in all extracurricular activities during the period of the suspension or expulsion.
- Appropriate law enforcement authorities will be notified as required by law.

As defined under EC § 48925(d), suspension means removal of a student from ongoing instruction for adjustment purposes. Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in this section.

Parental involvement plays an important role in the resolution of behavior problems. Site administrator(s) or designee(s) will communicate with parents/guardians when behavior problems arise.

Other Means of Correction

An individual who committed an offense as defined in EC § 48900 or 48915, was not suspended or expelled, but the matter was addressed with either no disciplinary action at all or other means of correction. Other means of correction includes, but is not limited to:

- A conference between school personnel, the student's parent or guardian, and the student
- Referrals to the school counselor, clinician, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling
- Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the student and their parents
- Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a 504 plan
- Enrollment in a program for teaching prosocial behavior or anger management
- Participation in a restorative justice program
- A positive behavior support approach with tiered interventions that occur during the school day or off campus
- After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups
- Any of the alternatives described in Section 48900.6 [relating to "community service"]

Evidence-Based Practices (EBPs)

Strategies, programs, or interventions that have been proven effective through rigorous research and repeated studies. In education, particularly special education, EBPs are essential because they ensure that teaching methods and supports are grounded in data and have consistently led to positive outcomes for students. Rather than relying on tradition or personal preference, educators use EBPs to guide instruction, behavior support, and skill development. These practices have

demonstrated effectiveness across different settings and student populations. Common examples in special education include Discrete Trial Training (DTT), Functional Behavior Assessment (FBA), task analysis, peer-mediated instruction, and augmentative and alternative communication (AAC). By using EBP, educators can confidently implement strategies that are known to improve academic, behavioral, social, and communication outcomes for students with disabilities.

Positive Behavior Intervention and Supports (PBIS)

An established systems approach focused on creating and sustaining primary (school-wide), secondary (small group), and tertiary (individual) systems of support that improve lifestyle results (i.e., personal, health, social, family, work, recreation) for students and families. PBIS models integrate the following elements to address the needs of all students: decisions about the behavioral needs of students in the educational setting must be data-driven; all skill-building and professional development activities must be evidence-based; chosen strategies must be supported with structural supports and resources; and training, coaching, and evaluation should incorporate cultural and contextual lenses to maximize student outcomes.

Restorative Practices

A preventive, early response, disciplinary model intended to improve relationships among stakeholders, while minimizing punitive disciplinary measures that result in chronic absenteeism, and high suspension and expulsion rates. The majority of research² finds that a whole-school approach offers the most promising evidence of success by establishing common values and norms, promoting a sense of belonging to the school community, and building trusting relationships—leaving fewer students in crisis and reducing the need for punitive discipline by dealing with behavioral and interpersonal issues quickly and deeply³. In addition, a 2012 report from the U.S. Attorney General's office states that restorative practices are especially helpful for children and youth who engage in and are harmed by bullying.

Family Engagement

The mission of the family engagement program is to enhance the overall success of students, families, schools and the community, by providing families the opportunity to take part in their student's education.

The goal is to provide a collaborative space for families to support students' academic progress by creating a culture of trust between schools, families, and the community by meeting families where they are and connecting them to relevant resources.

SJCOE holds true to the belief that a student's education is a shared duty between parents, families, teachers, administrators, support staff and the community at large. Our promise is that by providing activities and programs that reflect our commitment to the overall success of our families, together, we will enhance our children's academic success.

Parents and guardians have the opportunity to participate in Parent Project®. This award-winning course is designed to empower parents and help them change destructive adolescent behaviors. Parents will gain positive parenting skills that will increase their child's attendance, grades and prosocial behavior. This multi-session course is offered throughout the school year. For more information, please contact familysupport@sjcoe.net or call (209) 290-2146.

² Passarella, A. (2017). Restorative Practices in Schools: Prepared by the Open Society Institute Baltimore. Johns Hopkins School of Education Institute for Educational Policy. Retrieved from <http://www.attendanceworks.org>

³ Fronius, T., Persson, H., Guckenburg, S., Hurley, N., & Petrosino, A. (2016). Restorative Justice in U.S. Schools: A Research Review. San Francisco, CA: WestEd.

Grounds for Suspension & Expulsion

EC § 48900

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

- a. (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
(2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
(3) Except as provided in Section 48910, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.
(4) Except as provided in Section 48910, commencing July 1, 2024, a pupil enrolled in any of grades 9 to 12, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.
(5) (A) A certificated or classified employee may refer a pupil to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in subdivision (b) of Section 48900.5 for any of the acts enumerated in paragraph (1).
(B) A school administrator shall, within five business days, document the actions taken pursuant to subparagraph (A) and place that documentation in the pupil's record to be available for access, to the extent permissible under state and federal law, pursuant to

Section 49069.7. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.

- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- r. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 - (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.
 - (C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
 - (D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school⁴.
 - (2)(A) “Electronic act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - (i) A message, text, sound, video, or image.
 - (ii) A post on a social network internet website, including, but not limited to:
 - (I) Posting to or creating a burn page. “Burn page” means an internet website created for the purpose of having one or more of the effects listed in paragraph (1).
 - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using

⁴ Refer to Appendix B

the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii)(I) An act of cyber sexual bullying.

(II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

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

s. A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period whether on or off the campus.
4. During, or while going to or coming from, a school-sponsored activity.

t. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

u. As used in this section, "school property" includes, but is not limited to, electronic files and databases.

v. For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

w. (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

(2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

(Amended by Stats. 2024, Ch. 840, Sec. 1. (AB 2711) Effective January 1, 2025.)

EC § 48900.3

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)

EC § 48900.4

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

(Amended by Stats. 2002, Ch. 643, Sec. 2. Effective January 1, 2003.)

EC § 48900.7

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

(Added by Stats. 1997, Ch. 405, Sec. 1. Effective January 1, 1998.)

During Suspension

1. The student is expected to be under the supervision of a parent/guardian during school hours when serving suspension days at home. The student shall not appear on or about any school during the period of suspension unless coming to the office on official business with a parent/guardian and by prior arrangement with a school administrator.
2. The student is not to attend any school-sponsored event on or off any school campus during suspension. This is extended to include weekend and holiday activities, and would include, but not be limited to, field trips, athletic events, theater events, proms, dances, and band events.

3. If a student's suspension enters into an off-session period, the consequences and restitution will be determined by an administrator.
4. Violation of suspension rules may result in a minimum consequence of a warning and a maximum consequence of a referral to the appropriate law enforcement agency.
5. The teacher may require the suspended student to complete any assignments and tests missed during the suspension.
6. Instead of disciplinary action prescribed by this article, the superintendent, program administrator, or designee, may require a pupil to perform community service on school grounds during non-school hours. For the purposes of this section "community service" may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs.

Refer to the SJCOE Board of Education webpage at www.sjcoe.org for complete school policy including suspension and expulsion procedures as well as due process. Students and parents/guardians have a right to appeal disciplinary action taken against a student. A meeting must be requested with the administrator/designee prior to any further appeal (EC § 48914).

Grounds for Expulsion

EC § 48915

- a. (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:
 - (A) Causing serious physical injury to another person, except in self-defense.
 - (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
 - (C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
 - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
 - (D) Robbery or extortion.
 - (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.
- b. Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:
 - (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
 - (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- c. The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.
 - (2) Brandishing a knife at another person.
 - (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
 - (4) Committing or attempting to commit a sexual assault as defined in subdivision (m) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
 - (5) Possession of an explosive.
- d. The governing board of a school district shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:
 - (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
 - (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
 - (3) Is not housed at the school site attended by the pupil at the time of suspension.
 - e. Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:
 - (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
 - (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
 - f. The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
 - g. As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
 - h. As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

(Amended by Stats. 2012, Ch. 431, Sec. 3. (AB 2537) Effective January 1, 2013.)

Prohibition Against Tobacco Use EC § 48900 (h)

Students shall not possess, smoke, chew or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of SJCOE employees. Prohibited products include, but are not limited to,

cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time is also prohibited. These prohibitions do not apply to a student's possession or use of his/her own prescription products, or other FDA-approved cessation aids such as nicotine patches or nicotine gum⁵.

Parent/Guardian/Adult Student Liability

The parent/guardian of any minor or adult student whose willful misconduct results in injury or death to any pupil or any person employed by, or performing volunteer services for, a school district or private school or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school district or private school, or personal property of any school employee, shall be liable for all damages so caused by the minor.

Any school district or private school whose real or personal property has been willfully cut, defaced, or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon demand of an employee of SJCOE authorized to make the demand may, after affording the pupil their due process rights, withhold the grades, diploma, and transcripts of the pupil responsible for the damage until the pupil or the pupil's parent/guardian has paid for the damages.

SJCOE shall notify the parent/guardian of the pupil or adult student, in writing, of the alleged misconduct before withholding pupil grades, diploma, or transcripts pursuant to this subdivision. When the minor and parent/guardian or adult student are unable to pay for the damages, or to return the property, the school district shall provide a program of voluntary work for the student in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the pupil shall be released. (EC § 48904)

USE OF GPS/TRACKING DEVICES WITH LISTENING CAPABILITIES

To maintain a safe and confidential learning environment, GPS or tracking devices with listening-in or recording capabilities are not allowed in classrooms.

Although students may carry GPS-only devices, any device that can record audio or allow others to listen in remotely violates both student privacy and applicable laws. These devices pose a legal risk to the school's obligation to protect the confidentiality of all students and staff.

Important Legal References:

- California Education Code: Students may use GPS trackers; however, devices with audio recording or listening capabilities are not permitted due to education privacy laws and the legal responsibility to protect student confidentiality.
- EC § 51512: Recording in a classroom is prohibited without prior permission from both the teacher and the principal.
- California Penal Code § 632: It is considered criminal eavesdropping to intentionally overhear or record a confidential conversation without the consent of one or both parties, using any amplifying or recording device.

If a student is found with a device of this nature, staff will typically address the concern with the parent/guardian, and the device must be removed from the classroom setting.

⁵ Refer to Appendix C

CRISIS MANAGEMENT STATEMENT AND PROTOCOL

Crisis Management Statement

SJCOE, Special Education Department, is committed to ensuring the safety, dignity, and well-being of all individuals under our care. In alignment with Pro-Act principles, our approach to crisis management is proactive, respectful, and grounded in the belief that behavior is a form of communication. Our goal is to prevent crisis situations through early identification, relationship-building, and supportive interventions. When a crisis does occur, we respond with structured, safe, and least-restrictive practices that prioritize the physical and emotional safety of everyone involved.

Crisis Management Protocol

1. Prevention and Early Intervention

- Relationship Building: Staff will develop supportive, trust-based relationships with our students to foster a safe and responsive environment.
- Environment Modification: Staff will actively monitor and modify environments to reduce triggers and promote a calm atmosphere.
- Early Warning Signs: Staff are trained to recognize and respond to early indicators of agitation or escalation.
- De-escalation Techniques: Staff will utilize verbal and non-verbal de-escalation strategies as the first response to escalating behavior.

2. Crisis Response

When prevention and early intervention do not prevent a crisis, the following steps will be implemented:

- Assess the Situation: Determine the level of risk to self or others. Call for assistance if needed.
- Safety First: Remove bystanders, secure the environment, and ensure the safety of all individuals.
- Use of Interventions:
 - Least-Restrictive First: Apply only those interventions necessary to de-escalate the situation.
 - Physical Interventions: May be used only as a last resort and in accordance with Pro-Act guidelines and California Ed Code. In California, the Education Code and related laws govern the use of restraint and seclusion in schools, with a strong emphasis on student rights, safety, and least-restrictive interventions. All physical interventions must be approved, documented, and reviewed.

3. Post-Crisis Procedures

- Debriefing: All involved individuals, including the person in crisis and staff, will participate in a debriefing session to:
 - Reflect on what occurred.
 - Discuss what led to the crisis.
 - Develop a plan to prevent future occurrences.
- Documentation: Complete all required reports and logs including behavior incident forms and injury reports, if applicable.
- Notification:
 - Supervisors must be notified immediately following a crisis.
 - Parents/Guardians will be notified according to legal and agency guidelines. Note: If a restraint is utilized, Parents/Guardians will be notified within 24 hours. However, every effort will be made to notify the family prior to the end of the school day.

- Review: The incident will be reviewed by the behavior department and/or administrators to evaluate protocol adherence and identify improvements in practice or training needs.

Key Provisions from California Education Code:

Permitted Use

- Restraint or seclusion may only be used when a student's behavior poses a clear and present danger of serious physical harm to the student or others, and less restrictive interventions have been ineffective.
- Must be used in a manner that is safe, respectful, and appropriate to the student's developmental level.

Prohibited Practices

- Restraint/seclusion shall not be used as punishment, coercion, convenience, or retaliation.
- Mechanical restraints, such as straps or furniture devices (unless prescribed by a medical professional for orthopedic reasons), are prohibited.
- Chemical restraints (like sedatives for behavior control) are also not allowed.
- Seclusion in a locked room or any area from which the student cannot exit freely is prohibited.

Types of Restraint Allowed (Under Strict Conditions)

- Behavioral Restraint: Manual hold to restrict freedom of movement.
- Seclusion: The involuntary confinement in a room or area where the student is physically prevented from leaving (subject to strict limitations).

Documentation and Reporting

- Every incident of restraint or seclusion must be:
 - Documented in writing within one school day.
 - Reported to the student's parent or guardian within one school day.
 - Included in the student's record and reviewed during IEP meetings if applicable.

Staff Training

- Any school personnel implementing behavioral restraints must receive ongoing training in:
 - Positive behavioral interventions.
 - Emergency interventions.
 - The risks and alternatives to restraint and seclusion.

HEALTH & WELLNESS

Wellness Policy

The SJCOE Wellness Policy is on file with the Comprehensive Health Office at 2707 Transworld Drive, Stockton, California 95206. A copy may also be obtained at the student's school site.

Insurance

SJCOE participates in a Student Accident Insurance Program for all students. This program provides coverage for student accidents or injuries that occur during the hours and days when school is in session and while attending or participating in school-sponsored and supervised activities on or off school premises. The Student Accident Program is underwritten by QBE. This student accident insurance is an excess policy, which means if the student has primary insurance coverage, that coverage should pay first. If the student has no other insurance coverage, QBE may be considered the primary insurance. For more information, contact the SJCOE Health Services at (209) 468-4960.

Annual Notification for Medi-Cal Billing in Schools

SJCOE participates in the LEA Medi-Cal Billing Option Program offered through the California Department of Health Care Services and the Centers for Medicaid Services. The program allows for the school district to receive federal reimbursement funds for some health services provided to Medi-Cal eligible students while they are at school. The funds are reinvested back into the school programs to benefit students and their families.

SJCOE may bill Medi-Cal for assessments, screenings, and services provided under the California Youth Behavioral Health Initiatives (CYBHI) and Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) programs. These services include school nursing and mental health support for students.

Consistent with the following Codes of Federal Regulations: 34 CFR 300.154(d)(2)(iv), 34 CFR 300.154(d)(2)(v), 34 CFR 99.30 and 34 CFR 300.622:

- Parental consent must be obtained before SJCOE can submit Medi-Cal claims for the student's billable health services. This is a one-time consent that can be revoked by the parent at any time.
- The services that SJCOE provides to the student will not be affected in any way by the parent's consent or refusal.
- The parent/student will never pay a fee for health services provided to the student by SJCOE. The parent/student's Medi-Cal benefits will never be affected in any way.
- The student's medical/educational records may be disclosed to Medi-Cal for the purpose of authenticating claims.
- SJCOE will provide annual written notice to parents before accessing their student's public insurance benefits (Medi-Cal).

Comprehensive Sexual Health & HIV/AIDS Prevention Education

The California Healthy Youth Act (CHYA) requires school districts to provide students with sexual health and HIV/AIDS prevention education at least once in middle school and once in high school (grades 7 to 12 inclusive). Education lessons are provided in the classroom virtually and/or in-person as part of the regular SJCOE curriculum. Students on independent study work with their teachers to schedule attendance at health curriculum presentations.

The CHYA has five primary purposes:

1. To provide pupils with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy;
2. To provide pupils with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family;
3. To promote understanding of sexuality as a normal part of human development;
4. To ensure pupils receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end; and
5. To provide pupils with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors.

SJCOE will be participating in comprehensive sexual health education, HIV/AIDS prevention education as authorized by the CYHA Program EC § 51930-51939.

Please Note:

- Written and audiovisual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education are available for inspection. (EC § 51938) Please contact the school site.
- You have the right to review the instructional materials and curriculum.
- You have the right to request in writing that your child **not** receive comprehensive sexual health education or HIV/AIDS prevention education. (EC § 51240)
- Your child shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (EC § 51939)

Instruction will be provided in-person, virtually, and/or hybrid, by teachers and Delta Health staff. For more information on Delta Health Care – Making Proud Choices, please contact Stephanie Bentz (209) 444-8300.

Diabetes Information

Type 1 Diabetes

Type 1 diabetes in children is an autoimmune disease that can be fatal if untreated, and the guidance provided in this information sheet is intended to raise awareness about this disease.

Type 1 diabetes usually develops in children and young adults, but can occur at any age.

- According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths to 35 per 10,000 youths, respectively.
- The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

Type 1 diabetes affects insulin production.

- As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
- In type 1 diabetes, the body's pancreas stops making insulin, and blood glucose levels rise.
- Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
- Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

Risk Factors Associated with Type 1 Diabetes

- It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.
- Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes.
- Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses.
- Type 1 diabetes is not caused by diet or lifestyle choices.

Warning Signs and Symptoms Associated with Type 1 Diabetes

- Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:
 - Increased thirst.
 - Increased urination, including bed-wetting after toilet training.
 - Increased hunger, even after eating.
 - Unexplained weight loss.
 - Feeling very tired.
 - Blurred vision.
 - Very dry skin.
 - Slow healing of sores or cuts.
 - Moodiness, restlessness, irritability, or behavior changes.
- DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:
 - Fruity breath.
 - Dry/flushed skin.
 - Nausea.
 - Vomiting.
 - Stomach pains.
 - Trouble breathing.
 - Confusion.

Types of Diabetes Screening Tests that are Available

- Glycated hemoglobin (A1C) test:
 - A blood test measures the average blood sugar over two to three months.
 - An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test:
 - A blood sample is taken any time without fasting.
 - A random blood sugar level of 200 milligrams per deciliter (mg/dl) or higher suggests diabetes.
- Fasting blood sugar test:
 - A blood sample is taken after an overnight fast.
 - A level of 126 mg/dl or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test:
 - A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid.
 - A reading of more than 200 mg/dl after two hours indicates diabetes.

Type 1 Diabetes Treatments

- There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment.
- If your child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan.
- Your child's health care provider may refer your child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

Please contact your student's school nurse, school administrator, or health care provider if you have any questions.

Type 2 Diabetes

- Type 2 diabetes is the most common form of diabetes in adults.
 - Until recently, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens
 - According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in their lifetime.
- Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.
 - As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.
 - The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
 - In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
 - Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
 - Untreated hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors Associated with Type 2 Diabetes

- It is recommended that students displaying warning signs associated with type 2 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.
- Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:
 - Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
 - Family history of diabetes. Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
 - Inactivity. Being inactive further reduces the body's ability to respond to insulin.
 - Specific racial/ethnic groups. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
 - Puberty. Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms Associated with Type 2 Diabetes

- Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has type 2 diabetes.
 - Increased thirst, dry mouth, and frequent urination.
 - Increased hunger, even after eating.
 - Unexplained weight loss.
 - Feeling very tired.
 - Blurred vision.
 - Slow healing of sores or cuts.
 - Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms.
 - Irregular periods, no periods, and/or excess facial and body hair growth in girls.
 - High blood pressure or abnormal blood fat levels.

Type 2 Diabetes Prevention Methods and Treatments

- Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal body weight and normal blood glucose levels.
 - Eat healthy foods. Make wise food choice. Eat foods low in fat and calories.
 - Get more physical activity. Increase physical activity to at least 60 minutes every day.
 - Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.
- The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

Types of Diabetes Screening Tests that are Available

- Glycated hemoglobin (A1C) test:
 - A blood test measures the average blood sugar over two to three months.
 - An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test:
 - A blood sample is taken any time without fasting.
 - A random blood sugar level of 200 milligrams per deciliter (mg/dl) or higher suggests diabetes.
 - This test must be confirmed with a fasting blood glucose test.
- Fasting blood sugar test:
 - A blood sample is taken after an overnight fast.
 - A fasting blood sugar level less than 100 mg/dl is normal.
 - A level of 100 to 125 mg/dl is considered pre-diabetes.
 - A level of 126 mg/dl or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test:
 - A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid.
 - A reading of more than 200 mg/dl after two hours indicates diabetes.

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

Immunization Information Systems Record Sharing

Pursuant to Health and Safety Code § 120440, the district is required to disclose certain immunization records to San Joaquin County Public Health Services (PHS) (1601 E. Hazelton Avenue, Stockton, CA 95205) and the State Department of Public Health (CDPH) (6101 W. Centinela Avenue, Suite 300, Culver City, CA, 90230), including:

1. The name of the pupil and names of the parents or guardians of the pupil;
2. Date of birth of the pupil;
3. Types and dates of immunizations received by the pupil;
4. Manufacturer and lot number for each immunization received;
5. Adverse reaction to immunizations received;
6. Other nonmedical information necessary to establish the pupil's unique identity and record;
7. Results of tuberculosis screening;
8. Current address and telephone number of the pupil and the parents or guardians of the pupil;

9. Pupil's gender;
10. Pupil's place of birth;
11. Pupil's race and ethnicity;
12. Pupil's information needed to comply with education and childcare immunization requirements including:
 - a. Diphtheria;
 - b. Hepatitis B;
 - c. Haemophilus influenza type b;
 - d. Measles;
 - e. Mumps;
 - f. Pertussis (whooping cough);
 - g. Poliomyelitis;
 - h. Rubella;
 - i. Tetanus;
 - j. Varicella (chickenpox);
 - k. Any other disease deemed appropriate by the State Department of Public Health.

Any of the information shared with PHS and the CDPH shall be treated as confidential medical information and shall be used only to share with each other, and, upon request, with health care providers, schools, childcare facilities, family childcare homes, Women, Infant, and Child (WIC) service providers, county human services agencies, foster care agencies, and health care plans. These providers, agencies, and institutions shall, in turn, treat the shared information as confidential, and shall use it only to:

1. Provide immunization services to the pupil, including issuing reminder notifications to parents or pupils when immunizations are due.
2. Provide or facilitate provision of third-party payer payments for immunizations;
3. Compile and disseminate statistical information of immunization status on groups of pupils in California, without identifying information for these pupils included in these groups or populations;
4. Carry out the responsibilities regarding immunization for attendance or participation benefits in education programs;

You and your pupil have the right to examine any immunization-related information or tuberculosis screening results shared pursuant to this requirement and to correct any errors therein.

You or your pupil may refuse to allow this information to be shared pursuant to this requirement or to receive immunization reminder notifications at any time, or both. If you do not want this information to be shared or to receive reminder notifications, please contact:

Special Education Health Services
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 292-2904

Regardless of whether you do wish to share immunization-related information, your pupil's physician may maintain access to this information for the purposes of pupil care or protecting the public health. In addition, PHS and the CDPH may maintain access to this information for the purposes of protecting the public health.

Human Papillomavirus (HPV) Facts

What is HPV?

HPV is a very common virus that 8 out of 10 people will get at some point in their lifetime. Some HPV infections can lead to cancer later in life.

HPV is estimated to cause about 37,000 cases of cancer in men and women every year in the U.S. – that's the same as the average attendance for a major league baseball game!

Only cervical cancer, one of the cancers caused by HPV, can be detected early with a Pap test. The other cancers caused by HPV (cancers of the throat, genitals, or anus) may not be detected until they are more serious. HPV vaccination prevents infections that cause these cancers.

How can I protect my child from HPV?

HPV vaccination can prevent over 90% of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks. With more than 135 million doses given in the U.S. since 2006, HPV vaccine has a long safety record that's backed by over 15 years of monitoring. Common side effects are mild and get better

within a day or two. These include pain, redness, or swelling where the shot was given, similar to other vaccines.

HPV vaccination works extremely well. Since HPV vaccination was first recommended in 2006, infections with HPV types that cause most HPV cancers have dropped 88% among teen girls and 81% among young adult women.

Vaccination against HPV is recommended by the federal Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. It's also recommended by the American Cancer Society and California's Cancer Prevention Act.

Who should get the vaccine and when should they get it?

Because the vaccine is more effective when given at younger ages, two doses of HPV vaccine are recommended for all kids between the ages of 9 to 12 years, and the second dose should be given before the start of 8th grade.

(Kids who wait until later to get their first dose of HPV vaccine may need three doses.) The HPV vaccine is often given at the same time as other adolescent vaccines, like Tdap to prevent whooping cough and meningococcal vaccine to prevent bacterial meningitis.

Where can I get the HPV vaccine for my child?

Ask your health care provider, pharmacist, or local health department to learn more about HPV vaccine and where you can get it. The vaccine is covered by most health insurance plans. If you don't have health insurance, your child can still get vaccinated. The Vaccines for Children (VFC) Program offers free vaccines to children up to age 18 years without insurance or whose insurance does not cover the cost of vaccines.

Ask your healthcare provider or local health department at www.cdph.ca.gov, about VFC, or learn more at www.cdc.gov. Find doctors participating in VFC in your area at www.eziz.org.

For more information on HPV, the vaccine, and cancer prevention, visit the Centers for Disease Control and Prevention at www.cdc.gov.

Automated External Defibrillator Placement

In accordance with California Health and Safety Code § 1797.196, all schools have automated external defibrillators (AED) on campus. Refer to your site administrator for a list of locations.

Oral Health Assessment

Having a healthy mouth helps your child do well in school. To make sure your child is ready for school, EC § 49452.8 requires that your child have an oral health assessment or dental check-up in their first year in public school (kindergarten or first grade). Every child needs an oral health assessment from a licensed dentist or other licensed or registered dental health professional, and a completed Oral Health Assessment form to meet this requirement.

If your child has not had an oral health assessment in the past 12 months, they will need one before May 31. Take the form, located at the California Dental Association website, at <https://bit.ly/3HfDAZY>, to your child's dentist to complete if your child had an oral health assessment or dental check-up in the past 12 months. The following information will help you find a dentist:

1. You can call the Medi-Cal Telephone Service Center at 1-800-322-6384 or visit Smile California – Find a Dentist, at www.smilecalifornia.org, to find a dentist that accepts Medi-Cal. For help enrolling your child in Medi-Cal, you can apply by mail, go in person to your local Social Services office.
2. For additional resources that may be helpful, contact your local public health department, visit the Department of Health Care Services website at www.dhcs.ca.gov to find yours.

When you take your child to the dentist, please bring the form to be completed.

If you cannot take your child for an oral health assessment, please fill out the separate Waiver of Oral Health Assessment Requirement Form at the California Delta Association website, at <https://bit.ly/43uV0dX>.

Please return the form to the front office of your child's school. Your child's identity will not be in any report. Schools keep students' health information private.

We want your child to be healthy and ready for school! Even though they fall out, baby teeth are very important. Children need healthy baby teeth to eat, talk, smile, and feel good about themselves. Children with cavities may have pain, difficulty eating, stop smiling and have problems paying attention and learning at school.

Here is some important advice to help your child stay healthy:

- Take your child to the dentist. Dental check-ups can keep your child's mouth healthy and pain free.
- Choose healthy foods for the entire family, like fresh fruits and vegetables.
- Brush teeth at least twice a day with toothpaste that contains fluoride.
- Limit candy and sweet drinks like punch, juice, or soda. Sweet drinks and candy contain a lot of sugar, which causes cavities and leaves less room for your child to have healthy foods and drinks. Sweet drinks and candy can also cause weight problems, which may lead to other diseases, such as diabetes. Give your child healthy choices like water, milk, and fruit instead.

PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents or guardians be notified of their rights and responsibilities in certain matters pertaining to their children's education.⁶

1. Absence for Religious Exercises and Instruction:

Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. No pupil shall be excused from school for such purpose on more than four days per school month. (EC § 46014)

2. Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:

A parent or guardian has the right to excuse their child from comprehensive sexual health education, human immunodeficiency virus ("HIV") prevention education, and assessments related to that education. A parent or guardian who wishes to exercise this right must state their request in writing. (EC § 51938) A parent or guardian may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV and acquired immunodeficiency syndrome ("AIDS") prevention education. Parents have a right to request that the District provide them with a copy of the California Healthy Youth Act. (EC § 51930 et. seq.)

Parents or guardians shall be notified in writing if the District plans to administer an anonymous, voluntary and confidential test, questionnaire, or survey containing age-appropriate questions about the pupils' attitudes concerning or practices related to sex in grades 7 to 12 and given the opportunity to review the test, questionnaire, or survey. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey by stating their request in writing. (EC § 51938)

Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction whether the instruction will be taught by District personnel or by outside consultants. If outside consultants or guest speakers are used, the notice shall include the date of the instruction, and the name of the organization or affiliation of each guest speaker will be identified. Parents have a right to request that the District provide them with a copy of Education Code sections 51933, 51934, and 51938. (EC § 51938) If arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians no less than 14 days before instruction is given. (EC § 51938)

3. Excuse from Instruction in Health: Upon written request of a parent or guardian, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' or guardian(s)' religious training or beliefs (including personal moral convictions). (EC § 51240)

4. Administration of Medication: Medication prescribed by a physician or ordered by a physician assistant for a child may be administered during the school day by the school nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician, or a physician assistant as specified by law. In order for a child to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the physician or physician assistant must also provide a written statement detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine or prescription inhaled asthma medication. Parents must also provide a release for the

⁶ Refer to Appendix D

school nurse or designated school personnel to consult with the pupil's health care provider regarding questions that may arise with regard to the medication, and releasing the District and its personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering auto-injectable epinephrine or prescription inhaled asthma medication. The written statements specified in this section shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. Forms for administering medication may be obtained from the school secretary. (EC §§ 49423, 49423.1, 49423.5)

5. **Students on Medication:** Parents are to notify the school nurse or other designated certificated school employee if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (EC §§ 49423, 49480)

6. **Immunizations:** The District shall exclude from school any pupil who has not been immunized properly, unless the pupil is exempted from the immunization requirement pursuant to Chapter 1 (commencing with section 120325) of part 2 of division 105 of the Health and Safety Code. The immunization exemption based on personal beliefs has been eliminated. (Health & Saf. Code, § 120325) A student who, prior to January 1, 2016, submitted a letter or affidavit on file at the District, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, the District shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7th grade unless the student has been immunized for their age as required by

law. (Health & Saf. Code, § 120335) A student may still be exempted from the immunization requirement based on medical condition or circumstances. A licensed physician or surgeon must transmit a completed medical exemption certification form from the California Department of Public Health directly to the local educational agency and the California Immunization Registry. The standardized medical exemption form shall be the only documentation of a medical exemption that shall be accepted by the District. (Health & Saf. Code, §§ 120370, 120372)

A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. The health care practitioner may administer immunizations for the prevention and control of diseases that present a current or potential outbreak as declared by a federal, state, or local public health officer. (EC §§ 48216, 48980(a), 49403; Health & Saf. Code, §§ 120325, 120335)

Students are advised to adhere to current immunization guidelines regarding full human papillomavirus ("HPV") immunization before admission or advancement to the eighth-grade level. HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks. A fact sheet has been attached describing the benefits of an HPV vaccination. (EC § 48980.4, Health & Saf. Code, § 120336)

7. **Physical Exams and Testing:** The District is required to conduct certain physical examinations and vision and hearing testing of students, unless the parent has a current written objection on file. However, the child may be sent home if they are believed to be suffering from a recognized contagious or infectious disease, and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist. (EC §§ 49451, 49452, 49452.5, 49455; Health & Saf. Code, § 124085) The District may provide for scoliosis screening of every female student in

grade 7 and every male student in grade 8. (EC § 49452.5)

8. **Confidential Medical Services:** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian. (EC § 46010.1)
9. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without their consent or, if the pupil is a minor, without the consent of a parent or guardian. (EC § 49472)
10. **Accidental Injury Insurance:** The District does not provide medical and hospital services for students injured while participating in athletic activities. **Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers both medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Healthy Families at 1-866-294-4347.** (EC §§ 32221.5, 49470, 49471)
11. **Mental Health Services:** The District shall notify pupils and parents or guardians no less than twice each school year of the steps to initiate access to available pupil mental health services on campus and/or in the community. (EC § 49428) The mental health services available include Educationally Related Mental Health Services (ERMHS), individual counseling or placement in a program for students with severe emotional disabilities. To initiate services, a parent or student may contact their classroom teacher or the Special Education Department

12. **Services for Students with Exceptional Needs or a Disability:** State and federal law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (EC § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. § 104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone⁷:

Special Education Programs
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 468-9279

13. **No Academic Penalty for Excused Absence:** No pupil may have their grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (EC §§ 48205, 48980(i))

A pupil shall be excused from school when the absence is:

- a. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
- b. Due to quarantine under the direction of a county or city health officer.
- c. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- d. For the purpose of attending the funeral

⁷ Refer to Appendix D

services of a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.

- e. For the purpose of jury duty in the manner provided for by law.
- f. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a doctor's note.
- g. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
- h. For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
- i. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in section 49701 of the Education Code, and has been called to duty for, is on leave from, or has immediately returned from, deployment. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- j. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- k. For the purpose of participating in a cultural ceremony or event.
- l. For the purpose of a middle or high school pupil engaging in a civic or political event, provided the pupil notifies the school in advance. A pupil absent pursuant to this

section is required to be excused for only one day-long absence per year. A school administrator may permit additional absences pursuant to section 48260(c) of the Education Code.

- m. For any of the following purposes, inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family member, has died, so long as the absence is not more than three (3) days per incident.
 - i. To access services from a victim services organization or agency.
 - ii. To access grief support services.
 - iii. To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family member, including, but not limited to, temporary or permanent relocation.
 - iv. Any absence beyond three days for the reasons described above shall be subject to the discretion of a school administrator, or their designee, pursuant to section 48260.
- n. Due to the pupil's participation in military entrance processing.
- o. Authorized at the discretion of a school administrator based on the facts of the pupil's circumstances, which are deemed to constitute a valid excuse, including, but not limited to, working for a period of not more than five consecutive days in the entertainment or allied industries if the pupil holds a work permit, or participating with a not-for-profit performing arts organization in a performance for a public school pupil audience for a maximum of up to five days per school year provided the pupil's parent or guardian provides a written note to the school authorities explaining the reason for the pupil's absence. (EC §§ 48260, 48205, 48225.5)

A pupil absent from school under this section shall be allowed to complete all assignments

and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

For purposes of this section, attendance at religious retreats shall not exceed one school day per semester.

Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls. (EC § 48205)

"Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people. (EC § 48205)

"Immediate family," as used in this section refers to the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. (EC § 48205)

"Victim services organization or agency" means an agency or organization that has a documented record of providing services to victims. (EC § 48205; Labor Code § 230.1)

14. **Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972) (34 C.F.R. § 106.8) The District does not discriminate, including in admission and employment, on the basis of sex in any education programs or activities operated by the District, as is required by Title IX. Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

Chief Human Resources Officer
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 468-4820

15. **Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs do not comply with state or federal law or regulations to:

Special Education Programs
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 468-9279

16. **Release of Student Information:** The District does not release information or records concerning a child to noneducational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information:

Name, address, telephone, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (EC §§ 49060 et seq., 49073; 20 U.S.C. § 1232g; 34 C.F.R. § 99.7) In accordance with state and federal law, the District may also make available photographs, videos, and class rosters.

Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be

released. (EC § 49073(c); 20 U.S.C. § 1232g; 42 U.S.C. § 11434a(2))

17. Inspection of Student Records: State law requires that the District notify parents of the following rights which pertain to student records. (EC §§ 49063, 49069.7; 34 C.F.R. § 99.7)

- a. A parent or guardian has the right to inspect and review student records relating directly to their child during school hours or obtain a copy of such records within five (5) business days of their request.
- b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at their child's school. The principal of each school is ultimately responsible for maintenance of student records.
- c. A parent with legal custody has a right to challenge information contained in their child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.
- d. A parent or guardian has the right to consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent disclosure is authorized without consent.

A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

- i. Inaccurate.
- ii. An unsubstantiated personal conclusion or inference.
- iii. A conclusion or inference outside of the observer's area of competence.
- iv. Not based on the personal observation of a named person with the time and place of the observation noted.

v. Misleading.

vi. In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (EC § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- e. A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records and the legitimate interests therefor to the extent required by law. Student Records Logs are located at each school and are open to inspection by parents or guardians. (EC § 49064)
- f. School officials and employees having a legitimate educational interest, as well as persons identified in Education Code sections 49076 and 49076.5 and in the

Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent, student, foster family agency, short-term residential treatment staff, or caregiver whose access to student records is legally authorized. A "legitimate educational interest" is one held by a school official or employee whose duties and responsibilities create a reasonable need for access. (EC §§ 49063(d), 49076, 49076.5; 20 U.S.C. § 1232g)

- g. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.
- h. Parents and guardians will be charged \$0.25 cents per page for the reproduction of student records.
- i. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232g(g))
- j. Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.

18. **Family Educational Rights and Privacy**

Act: Parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached.

- 19. **Student Discipline:** District and school rules pertaining to student discipline are available to parents or guardians of district students in the school office. (EC § 35291) Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home

computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (EC § 48900(r))

- 20. **Dissection of Animals:** If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. No student shall be discriminated against based upon their decision to exercise their rights under this section. (EC §§ 32255-32255.6)
- 21. **Temporary Disability:** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction.

Home Instruction: The district in which the student resides is to provide individual instruction if the student is receiving the instruction in their home. Individual instruction in a pupil's home pursuant to Education Code section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.

Hospital or Health Facility Instruction: The school district in which the hospital or other residential health facility, excluding a state hospital, is located must provide individual instruction to a student with a temporary disability. Within five working days of receipt

of the notification, the district must determine whether the pupil will be able to receive individual instruction, and, if so, when the individual instruction will begin. Individual instruction will commence no later than five working days after a positive determination has been rendered. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. A school district may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or residential health facility to facilitate the timely reentry of the pupil in their prior school after the hospitalization has ended, or in order to provide a partial week of instruction. On days in which the student is not receiving individual instruction in a hospital or other residential health facility, they may attend school in their district of residence if well enough to do so. A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that they attended immediately before receiving individual instruction, if returning during the same school year. (EC §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48980(b))

Pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom shall be treated in the same manner and under the same policies as any other temporary disabling condition. (EC § 221.51)

22. **Student Residency:** A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (EC § 48200); (2) the District has approved interdistrict attendance (EC § 46600); (3) the student is placed in a regularly established children's institution, licensed foster home, or family home; (4) the student is a foster child who remains in their school of origin pursuant to Education Code section 48853.5(f) and (g); (5) the student is emancipated and lives within the District; (6)

the student lives in the home of an adult who has submitted a caregiver affidavit; (7) the student resides in a state hospital within the District; or (8) the student's parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of their employment within the school district boundaries for a minimum of three days during the school week. (EC § 48204) The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (EC § 48204) A student also complies with the residency requirements for school attendance in a school district if they are a student whose parent is transferred or pending transfer to a military installation within the state while on active duty pursuant to an official military order. However, the parent must provide proof of residence in the school district within ten (10) days after the published arrival date provided on official documentation. (EC § 48204.3) A student also complies with the residency requirement if the student's parent/guardians were residents of the state but departed California against their will if the student provides official documentation evidencing the departure of their parent/guardians against their will; that the student moved outside of California as a result of their parent/guardians departing California against their will; and that the student lived and was enrolled in school in California immediately before moving outside of California. (EC § 48204.4)

23. **Attendance Options:** Students who attend schools other than those assigned by the District are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the District which the parent lives (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer). (EC § 48980(h))

Attached is a copy of the District's Policy on

Interdistrict⁸ and Intradistrict Transfers. Parents interested in interdistrict or intradistrict transfers should contact their district of residence. The general requirements and limitations of each process are described as follows:

a. Choosing a School Within the District in Which Parent Lives: Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer. However, a district may consider special circumstances that might be harmful or dangerous to a particular pupil in the current attendance area of the pupil, including physical threats of bodily harm or threats to the emotional stability of the pupil documented by a state or local agency, licensed or registered professional, or court order.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide

transportation assistance to a student who transfers to another school in the district under these provisions.

- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.
 - Victims of Bullying: A school district of residence must approve an intradistrict transfer request for a victim of an act of bullying unless the requested school is at maximum capacity, in which case the district must accept an intradistrict transfer request for a different school within the district. A school district of residence may not prohibit the interdistrict transfer of a victim of an act of bullying if there is no available school for an intradistrict transfer and if the school district of proposed enrollment approves the transfer application. (EC § 46600)
 - A school district of proposed enrollment shall ensure that pupils admitted under this law are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether a pupil should be enrolled based on academic or athletic performance, physical condition, English proficiency, family income, or any of the individual characteristics set forth in Education Code section 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status.
- b. Choosing a School Outside the District in Which Parent Lives: Parents have two different options for choosing a school outside the district in which they live. The two options are:
- i. Interdistrict Transfers (EC §§ 46600–46610): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the

⁸ Refer to Appendix E

terms and conditions under which transfers are permitted. The law on interdistrict transfers also provides for the following:

- Once a pupil is enrolled in a school pursuant to an interdistrict transfer agreement, the pupil must be allowed to continue to attend the school in which they are enrolled without reapplying, unless revocation of the interdistrict transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.
- Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict attendance agreement. (EC §§ 46600(b), 48900(r))
- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision. (EC § 46601)
- A school district of residence shall not prohibit the transfer of a student who is a homeless child or youth, a current or former migratory child, a foster youth, the victim of an act of bullying, or a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the transfer application.
- If a pupil is a victim of an act of bullying and their school district of residence has only one school offering their grade level, such that there is no option for an intradistrict transfer, the pupil may apply for an interdistrict transfer, and the school district of residence shall not prohibit

the transfer if the school district of proposed enrollment approves the application for transfer. (EC § 46600)

- A school district that elects to accept an interdistrict transfer pursuant to this subdivision shall accept all pupils who apply to transfer under this subdivision until the school district is at maximum capacity and shall ensure that pupils admitted under this subdivision are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a pupil should be enrolled based on their academic, performance, athletic performance, physical condition, proficiency in English, family income, actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), actual or potential parental, family, or marital status, pregnancy (including childbirth, false pregnancy, termination of pregnancy, or recovery therefrom), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (EC § 46600)
- Upon request of the parent on behalf of a pupil eligible for transfer pursuant to this subdivision, a school district of enrollment will provide transportation assistance to a pupil who is eligible for free or

reduced-price meals. (EC § 46600)

- A school district of enrollment may provide transportation assistance to any pupil admitted under this subdivision. (EC § 46600(d))

ii. “Allen Bill” Transfers (EC § 48204(b)):

The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which their parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of Education Code section 48204(b) include:

- Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it is determined that there would be a negative impact on the district’s desegregation plan.
- The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student is encouraged to provide in writing to the parent the specific reasons for denying the transfer.
- Placement of students in the San Joaquin County Office of Education Special Education Programs is determined by the students’

Individualized Education Plan.

c. Districts of Choice (EC §§ 48300-48317): The law allows, but does not require, each school district to become a “district of choice”—that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through an “unbiased process,” which prohibits district inquiries, evaluations, or consideration of enrollment based upon actual or perceived academic or athletic performance, physical condition, proficiency in English, any other personal characteristic as specified in Education Code section 200, and family income (except for purposes of determining attendance priority for students eligible for free or reduced-price meals). If the number of transfer applications exceeds the number of students the school board elects to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. Other provisions of the “district of choice” option include:

- A school district of residence may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent or adopt policies to block or discourage students from applying for transfer to a school district of choice.
- A school district of choice may not reject the transfer of a student who is an English learner, foster youth or homeless youth, as defined in Education Code section 42238.01 and 42 U.S.C. 11434(a)(2).
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- A school district of choice must give priority for attendance in the following

order: 1) to siblings of students already attending school in the district; 2) to students eligible for free or reduced-price meals, and students who are foster youth or homeless youth; and 3) to children of military personnel.

- A school district of choice must post application information on its Internet Website, including any applicable form, transfer timeline, and explanation of the selection process.
- A parent may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.

24. **Sexual Harassment Policy:** Each student will receive a written copy of the district policy on sexual harassment. The purpose of this policy is to provide notification of the **prohibition** against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the District’s policy on sexual harassment is attached. (EC §§ 231.5, 48980(f))⁹

25. **Notice of Alternative Schools:** California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b. Recognize that the best learning takes place when the student learns because of the student’s desire to learn.
- c. Maintain a learning situation maximizing student self-motivation and encouraging the student in their own time to follow their own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by the student’s teachers of choices of learning projects.
- d. Maximize the opportunity for teachers,

parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.

- e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to, the community in which the school is located.

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

26. **Nutrition Program:** The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. (EC § 49510 et seq.)

27. **Leaving School Grounds:** All San Joaquin County Office of Education campus locations are closed campuses.

28. **U.S. Department of Education Programs:** The following applies only to programs directly funded by the U.S. Department of Education:

All instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children.

No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

⁹ Refer to Appendix F

- a. political affiliations or beliefs of the student or student's parents;
- b. mental and psychological problems of the student or their family;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating or demeaning behavior;
- e. critical appraisals of other individuals with whom respondents have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or student's parent; or
- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent. (20 U.S.C. § 1232h)

29. Uniform Complaint Procedures¹⁰:

Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:

State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs., tit. 5, § 4620.)

Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (EC § 32261) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), actual or potential parental, family, or marital status, pregnancy (including childbirth, false pregnancy, termination of pregnancy, or

recovery therefrom), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (EC §§ 210-214, 220 et seq., 234 et seq.; Cal. Code Regs., tit. 5, § 4900 et seq.; 20 U.S.C. § 1681 et seq.; 29 U.S.C. § 794; 42 U.S.C. § 2000d et seq.; 42 U.S.C. § 12101 et seq.; 34 C.F.R. § 106.9) The District prohibits discrimination, harassment, intimidation, bullying, and retaliation in all acts related to school activity or attendance. In addition to being the subject of a complaint, a pupil engaging in an act of bullying as defined by Education Code section 48900(r) may be suspended from school or recommended for expulsion.

The District's Uniform Complaint Procedures may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650; EC §§ 234 et seq., 48900(r))

- a. Any individual, public agency or organization has the right to file a written complaint alleging that they have personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, §§ 4610, 4630(b)(1))
- b. Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)
- c. Complaints must usually be filed with the superintendent/designee of the District.
- d. Discrimination complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a

¹⁰ Refer to Appendix A

written request with the district superintendent or designee for an extension of up to ninety (90) days following the six (6) month time period. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, § 4630(b))

Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying:

The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

e. Written complaints may be made regarding:

- i. Adult Education
- ii. After School Education and Safety
- iii. Agricultural Career Technical and/or Vocational Education
- iv. American Indian Education Centers and American Indian Early Childhood Education
- v. Bilingual Education
- vi. California Peer Assistance and Review Programs for Teachers
- vii. Consolidated Categorical Aid Programs
- viii. Migrant Child Education Programs
- ix. Every Student Succeeds Act (formerly No Child Left Behind)
- x. Career Technical and Technical Education and Technical Training Programs
- xi. Child Care and Development
- xii. Child Nutrition
- xiii. Compensatory Education
- xiv. Consolidated Categorical Aid
- xv. Economic Impact Aid
- xvi. Special Education
- xvii. "Williams Complaints"
- xviii. Pupil Fees
- xix. Instructional Minutes for Physical Education
- xx. Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP)
- xxi. Pregnant and Parenting Pupils, including parental leave
- xxii. Student Parent Lactation

Accommodations

- xxiii. Course Assignments already Completed or without Educational Content
- xxiv. Foster Youth, Homeless Youth, former Juvenile Court School Student Services, Migrant Youth, and Pupils of Military Families
- xxv. Regional Occupational Centers and Programs
- xxvi. Continued Education Options for Former Juvenile Court School Students
- xxvii. School Safety Plans
- xxviii. School Plans for Student Achievement (SPSA)
- xxix. Tobacco-Use Prevention Education
- xxx. Schoolsite Councils
- xxxi. State Preschool
- xxxii. State Preschool Health and Safety Issues in Local Education Agencies Exempt From Licensing
- xxxiii. School or athletic team names, mascots, or nicknames pursuant to section 221.3.
- xxxiv. Any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code section 64000
- xxxv. Any other educational programs the Superintendent deems appropriate

(Cal. Code Regs., tit. 5, §§ 4610(b), 4622, 4630; EC §§ 222, 8200-8498, 8500-8538, 32289, 33315, 33380-33384, 35186, 46015, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 49490-49590, 49701, 51210, 51223, 51225.1, 51225.2, 51226-51226.1, 51228.1, 51228.2, 51228.3, 52060-52075, 52160-52178, 52300-52490, 52334.7, 52500-52616.24, 54000-54029, 54400-54425, 54440-54445, 54460-54529, 56000-56867, 59000-59300, 64001; 20 U.S.C. §§ 1400, 6601, 6801, 7101, 7201, 6301 et. seq.; Health & Saf. Code, §§ 1596.792, 1596.7925, 104420)

Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed above. (Cal. Code Regs., tit. 5,

§ 4630(b)(1))

Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)

Complaints must usually be filed with the superintendent or designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630(b))

Within 60 days from the date of receipt of the complaint, the District's responsible officer or their designee shall conduct and complete an investigation of the complaint in accordance with local procedures adopted pursuant to California Code of Regulations, title 5, section 4621 and prepare a written decision. The time period may be extended by mutual written agreement of the parties.

f. **Williams Complaints:** Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (EC §§ 8235.5, 35186)

- i. Insufficient textbooks and instructional materials;
- ii. Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils;
- iii. Noncompliance with the requirement of Education Code section 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products;
- iv. Teacher vacancy or misassignment; or
- v. Noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code section 1596.7925 and related state regulations.

A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case

of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction.

g. **Pupil Fees Complaints:** A pupil enrolled in the District shall not be required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (EC § 49010 et seq.)

A pupil fee includes, but is not limited to, all of the following: a fee charged to a pupil as a condition for registering for school or classes, as a condition for participation in a class or an extracurricular activity, as a security deposit to obtain materials or equipment, or a purchase that a pupil is required to make to obtain materials or equipment for an educational activity.

A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant not satisfied with the decision of the school may appeal the decision to the California Department of Education.

h. **Foster, homeless, former juvenile court pupils and pupils in military families:** the District will post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in Education Code sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Responsible Official: The District official responsible for processing complaints is listed below at the following address:

Chief Human Resources Officer
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
209-468-4820

Complaints Made Directly to the State Superintendent:

Complaints may be filed directly with the State Superintendent of Public Instruction in the following cases:

- i. Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation.
- j. Complaints regarding Child Development and Child Nutrition programs not administered by the District.
- k. Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
- l. Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
- m. Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
- n. Complaints alleging immediate and irreparable harm as a result of applying a district-wide policy in conflict with state or federal law and that complaining at the local level would be futile.

(Cal. Code Regs., tit. 5, §§ 4630, 4650)

Appeals:

- o. Except for Williams Complaints, a complainant may appeal the District's decision to the California Department of Education. (EC § 262.3(a); Cal. Code Regs., tit. 5, §§ 4622, 4632)
 - i. Appeals must be filed within thirty (30) days of receiving the District decision.
 - ii. Appeals must be in writing.
 - iii. Appeals must specify the reason(s) for appealing the District decision,

including whether the facts are incorrect and/or the law has been misapplied.

- iv. Appeals must include a copy of the original complaint and a copy of the District decision.
- v. Pupil fee complaints appealed to the California Department of Education will receive a written appeal decision within 60 days of the department's receipt of the appeal.
- vi. If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District will provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
- p. If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)
 - i. Reconsideration must be requested within thirty (30) days of receiving the Department of Education report.
 - ii. The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those

remedies. Any questions regarding civil law remedies should be directed to an attorney. (EC § 262.3(b); Cal. Code Regs., tit. 5, § 4622)

30. **Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the District's pupil-free staff development day and minimum day schedules is attached for reference. A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (EC § 48980(c))

31. **Review of Curriculum:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (EC § 49091.14)

32. **Transitional Kindergarten:** The District may admit a child, who will have their fourth birthday by September 1, to a transitional kindergarten at the beginning of or at any time during the school year with parental/guardian approval if:

- a. the governing board or body determines that the admittance is in the best interests of the child, and
- b. the parent/guardian is given information on the advantages and disadvantages and any other explanatory information on the effects of early admittance. (EC § 48000)

33. **Pupil Find System; Policies and Procedures:** Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the Director of Student Services and/or Special Education, or their designee. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300 et seq. (EC § 56301; 34 C.F.R. § 104.32(b))

34. **School Accountability Report:** Parents/guardians may request a hard copy of the School Accountability Report Card which is issued annually for each school of

the District. (EC § 35256)

35. **Asbestos Management Plan:** The current management plan for asbestos-containing material in school buildings is available at the District Office. (40 C.F.R. § 763.93)

36. **Every Student Succeeds Act (ESSA):** The Every Student Succeeds Act (ESSA) took full effect in 2018 to replace the No Child Left Behind Act in modifying the Elementary and Secondary Education Act of 1965 (ESEA). If updates are provided by the California Department of Education, the following notice may change and new information may be added.

- **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects they teach, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the major or field of discipline for any degrees or certifications held by the teacher, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. In addition, parents have a right to notice when the parent's child has been taught for four or more weeks by a teacher who is not highly qualified. (ESEA § 1112(e)(1)(A) (as amended by ESSA))
- **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. (ESEA § 1112(e)(1)(B) (as amended by ESSA))
- **School Identified for School Improvement:** A local educational agency shall promptly provide notice to a parent or parents of each student enrolled in an elementary school or a secondary school

identified for school improvement (school that fails for two consecutive years to make adequate yearly progress as defined in the State's plan) for comprehensive support and improvement activities or targeted support and improvement activities. The notice will be in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. The notice will include an explanation of what the identification means; how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency; the reasons for the identification; an explanation of what the school identified for school improvement is doing to address the problem of low achievement; an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem; an explanation of how parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and an explanation of the parents' option to transfer their child to another public school (with transportation provided by the agency when required or to obtain supplemental educational services for the child). (ESEA § 1111(c-d) (as amended by ESSA))

- **Parent and Family Engagement:** ESSA requires the District to notify parents of a written parent and family engagement policy. (ESEA § 1116) (as amended by ESSA) (20 U.S.C. § 6318(b)). The policy must include how each school will: convene an annual meeting to which all parents of participating students shall be invited and encouraged to attend, to inform parents of the requirements of this policy and the right of parents to be involved; offer a flexible number of meetings; involve parents in an organized and timely manner in the review and development of programs under this part including development of the parent and family engagement policy; provide parents timely notice about programs under this part, a description of the curriculum in use at the school, the forms of academic

achievement, and if requested by parents, opportunities for regular meetings to formulate suggestions and participate in decisions related to the education of their children; allow parents to submit comments on the plan when the school makes it public; jointly develop a compact with parents describing the school's responsibility to provide high-quality curriculum in a supportive and effective learning environment and addresses the importance of communication between parents and teachers; provide assistance to parents of children served by the school in understanding academic standards, assessments, and the requirements of this part; provide materials and training to help parents work with their children to improve their children's achievement; educate teachers on the importance of parent outreach and communication; coordinate parent involvement in school programs; provide information related to school and parent programs in a format and language the parents can understand; adopt and implement model approaches to improving parental involvement; and provide other reasonable support for parental involvement activities as parents may request. This policy shall be provided in a format and, to the extent practicable, in a language that parents will understand.

- **Limited English Proficient Students:** ESSA requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs (including content, instructional goals, and the use of English and native language); the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable; and, parent options for removing a student from a

program, declining initial enrollment and/or choosing another program. (ESEA § 1112(e)(3)(A) (as amended by ESSA)) In addition, the notice shall include the following: (1) whether the student is a long-term English learner or at risk of becoming a long-term English learner; (2) the manner in which the program will meet the needs of long-term English learners or those at risk of becoming long-term English learners; and (3) the manner in which the program will help long-term English learners or those at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards. (EC §§ 313.2, 440; 20 U.S.C. § 6312)

The information provided above is available upon request from each student's school or the district office. Additional notices that may be required shall be sent separately. (20 U.S.C. § 6301 et seq.)

37. Language Acquisition Program: If the District implements a language acquisition program pursuant to Education Code section 310, it will: 1) comply with the kindergarten and grades 1-3, inclusive, class size requirements specified in Education Code section 42238.02; and (2) provide the parent or legal guardian of a minor pupil annually, or upon the pupil's enrollment, with information on the types of language programs available to pupils enrolled in the District, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (EC § 310; Cal. Code Regs., tit. 5, §§ 11309, 11310)

38. Military Recruiter Information: 20 U.S.C. section 7908 requires that school districts disclose the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If parents do not wish this

information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address:

Special Education Division Director
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 468-4847

39. Children in Homeless/Foster Care Situations, Former Juvenile Court School Students, Migrant Students, and Newcomers: Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (EC § 48852.5; 42 U.S.C. § 11432(g)(1)(J)(ii)) The District's liaison is the Foster and Homeless Youth Services Director and can be contacted at (209) 468-9079.

A homeless child will be allowed to continue their education in their school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child's status changes before the end of the academic year so that they are not homeless, the District will allow a child in high school to continue their education in the school of origin through graduation. For a child in grades K through 8, the District will allow the formerly homeless child to continue their education in the school of origin until the end of the academic school year. A homeless child transitioning between school grade levels will be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district. The new school will be required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or moneys due to the school last attended or if the child is unable to produce

clothing or records normally required for enrollment, including academic records, medical records, proof of immunization history, proof of residency, other documentation, or school uniforms. (EC § 48852.7)

The District has designated the Foster and Homeless Youth Services Director as the educational liaison for foster children and can be contacted at 209-468-9079. The educational liaison will disseminate a standardized notice to foster children that has been developed by the State Department of Education and includes complaint process information. (EC § 48853.5)

A foster child shall be allowed to continue their education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including academic records, medical records, immunization history, proof of residency, other documentation, or school uniforms. The last school attended must provide all records to the new school within two business days of receiving the request. (EC §§ 48853, 48853.5)

Upon receiving a transfer request or notification of a student in foster care, the District shall, within two business days, transfer the student out of school and deliver the educational information and records to the next educational placement. Grades and credits will be calculated as of the day the student left school and no lowering of grades will occur as a result of the student's absence due to the decision to change placement or for a verified court appearance or related court activity. (EC § 49069.5)

The District shall exempt from local graduation requirements, or consult with the student and their educational rights holder about the option to remain in school for a fifth year to complete the local graduation

requirements, a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or newcomer student for recently arrived immigrant pupils and who transfers between schools under certain circumstances. (EC §§ 51225.1, 51225.2)

The District shall accept coursework done by a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or newcomer student while attending another school. The District will not require those students to retake courses or partial courses they have satisfactorily completed elsewhere. (EC § 51225.2)

"Newcomer student" means a student who is between the ages 3-21, was not born in any of the 50 States, the District of Columbia, or the Commonwealth of Puerto Rico, and has not been attending one or more schools in any of the referenced locations for more than three (3) full academic years. (EC § 51225.2; 20 U.S.C. § 7011)

A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District's Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

40. **Continued Education Options For Juvenile Court School Students:** When a student transfers into a juvenile court school any time after the completion of the student's second year of high school and completes the statewide coursework requirements for graduation specified in section 51225.3 while attending a juvenile court school, and the student is in their third or fourth year of high school, the county office of education shall exempt the student from all coursework or other requirements that are in addition to the statewide coursework requirements in section 51225.3, unless the county office finds that the student is reasonably able to complete the local graduation requirements in time to graduate by their fourth year of high school. Within thirty (30) days of a student transferring into a juvenile court school, the county office of education shall notify the

student, the person holding the right to make educational decisions for the student, and the student's social worker and probation officer of the availability of the exemption and whether the student qualifies. (EC § 48645.5(d).) A county office of education shall also exempt a student from local graduation requirements if it determines that a juvenile court school student is unable to complete local graduation requirements after the fourth year of high school but is able to complete the statewide coursework requirements. (EC § 48645.7.)

When a juvenile school student qualifies for an exemption from local graduation rights, the county office of education shall notify the student, the person holding the right to make educational decisions for the student, and the student's social worker and probation officer of the following:

- a. How any of the local graduation requirements that are waived may affect the student's post-secondary education or vocation plans, including the ability to gain admission to a post-secondary educational institution;
- b. Opportunities available to the student, including, but not limited to, staying enrolled in high school beyond a fourth year, possible credit recovery, and any transfer opportunities available through the California Community Colleges;
- c. The option to defer or decline the diploma and take additional coursework; and
- d. The student's academic data and other information relevant to making an informed decision on whether to accept the exemption from local graduation requirements (EC §§ 48645.3(a), 48645.7)

If the county office of education determines that the juvenile court student is reasonably able to complete local graduation requirements after the student's fourth year of high school, the county office of education shall:

- e. Consult with the student and the person holding the right to make educational decisions for the student regarding the student's option to remain in school after the student's fourth year to complete local

graduation requirements;

- f. Consult with the student and the person holding the right to make educational decisions for the student, about how remaining in school after the student's fourth year to complete the local graduation requirements will affect the student's ability to gain admission to a post-secondary educational institution;
- g. Consult with and provide information to the student about transfer opportunities through the California Community Colleges; and
- h. Permit the student to stay in school after the student's fourth year to complete the local graduation requirements upon agreement with the student, if the student is 18 years or older, or, if the student is under 18 years, upon agreement with the person holding the right to make educational decisions for the student.

A juvenile court school student who is eligible for the exemption from local graduation requirements and who would otherwise be entitled to remain in attendance shall not be required to accept the exemption. If a student who is eligible for an exemption has previously deferred or declined an exemption, the county office of education shall grant an exemption within thirty (30) days if it is requested by the student. A student shall not be required to transfer schools in order to qualify for an exemption. A student shall not request a transfer solely to qualify the student for an exemption. A complaint of noncompliance with this section may be filed with the county office of education pursuant to the Uniform Complaint Procedures. (EC § 48645.7.)

41. **Sex Equity In Career Planning:** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (EC § 221.5(d))

42. **Pesticide Products:** All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list provides the name of each pesticide product, the active

ingredient(s) and the Internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going to be applied, they must complete the attached form and return it to their child's school. A copy of the integrated pest management plan for the school site or District may be provided on the school website or viewed at the school office. (EC §§ 48980.3, 17611.5, 17612)¹¹

43. **Pregnant and Parenting Pupils:** Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. "Pregnant or parenting pupil" means a pupil who gives or expects to give birth or a parenting pupil who has not given birth and who identifies as the parent of the infant.

A pregnant or parenting pupil is entitled to eight weeks of parental leave. This leave may be taken before the birth of the pupil's infant if there is a medical necessity and/or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. A pregnant or parenting pupil is entitled to additional leave if deemed medically necessary by the student's physician. (EC § 46015)

The person holding the student's educational rights (i.e. the pupil if over 18 or the parent if under 18) may notify the school of the student's intent to exercise this right. Leave may still be taken even if notice was not provided.

During the leave, the student's absences shall be deemed excused and the student shall not be required to complete academic work or other school requirements.

A pregnant or parenting pupil may return to the school and the course of study in which they were enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting pupil is entitled to opportunities to make up work

missed during their leave, including, but not limited to, makeup work plans and reenrollment in courses.

A pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil is reasonably able to complete its graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

A student who chooses not to return to the school in which they were enrolled before taking the leave is entitled to alternative education options offered by the local educational agency to include educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.

A student will not incur any academic penalties as a result of using the accommodations in this section. (EC § 46015)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures in accordance with Title 5 of the California Code of Regulations.

44. **Student Parent Lactation Accommodations:** The District is required to provide reasonable accommodations to a lactating student on a school campus to address breastfeeding needs. (EC § 222)

A student may not be penalized academically because of the reasonable accommodations provided during the school day. A student must also be given the opportunity to make up missed work.

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

¹¹ Refer to Appendix G

45. **PE Instructional Minutes:** The adopted course of study for grades 1 through 6 and instruction in grades 1 through 8 in an elementary school includes physical education for not less than 200 minutes each ten school days, exclusive of recesses and the lunch period. (EC §§ 51210, 51223)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures pursuant to Title 5 of the California Code of Regulations.

46. **Course Assignments:** The District is prohibited from assigning a student enrolled in any of grades 9 through 12 to any course period without educational content for more than one week in any semester, except under specified conditions. Under no circumstances will the District assign a student enrolled in any of grades 9 through 12 to a course period without educational content because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (EC § 51228.1)

The District is prohibited from assigning a student enrolled in grades 9 through 12 to a course that the student has previously completed and received a grade determined by the District to be sufficient to satisfy the requirements and prerequisites for admission to the California public post-secondary schools and the minimum high school graduation requirements, except under specified conditions. Under no circumstances will the District assign a student enrolled in any of grades 9 through 12 to a course the student has previously completed and received a sufficient grade, as specified, because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (EC § 51228.2)

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. The District may continue to authorize dual enrollment in community college, to run evening high school programs, and to offer independent study, work experience education, and other specified courses.

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (EC § 51228.3)

47. **Regional Occupational Centers and Programs/County Offices of Education Programs/Adult Education Programs:** A regional occupational center or program, county office of education program, or adult education program must meet specified requirements for certification by the Superintendent of Public Instruction in order to provide an employment training program for adults or to authorize an education program beyond secondary education that leads to a degree or certificate. (EC § 52334.7)

A complaint alleging that a local agency violated federal or state laws or regulations governing adult education programs under Education Code section 52501 or regional occupational centers and programs may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. A complaint alleging that a county office of education violated federal or state laws or regulations governing the county office's participation in any student financial assistance program authorized by Title IV may also be filed under the Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

48. **Pupil Fees:** A pupil enrolled in a public school will not be required to pay a pupil fee for participation in an educational activity. (EC § 49011)

a. The following requirements apply to prohibited pupil fees:

- i. All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
- ii. A fee waiver policy shall not make a pupil fee permissible.
- iii. The District and its schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils

may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.

- iv. The District and its schools shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and the District and its schools shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the District or school.

- b. Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. The District and its schools are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (EC § 49010 et seq.)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (EC § 49013)¹²

49. **Safe Storage of Firearms:** The District is required to provide parents notice of California's child access prevention laws and laws relating to the safe storage of firearms. The District has attached a memorandum describing such laws. (EC §§ 48986, 49392)¹³

50. **Synthetic Drugs:** The District is required to provide parents notice of the dangers associated with using synthetic drugs that are not prescribed by a physician, such as fentanyl, as well as the possibility that dangerous synthetic drugs can be found in counterfeit pills. The District has attached a memorandum describing such laws. (EC § 48985.5)

51. California Assessment of Student

Performance and Progress: The California Assessment of Student Performance and Progress (CAASPP) includes Smarter Balanced Summative assessments in English Language Arts and Math in grades 3-8 and 11 and California Alternative Assessments (CAA) in English Language Arts and Math in grades 3-8 and 11 for students with significant cognitive disabilities. The California Science Test (CAST) for science is required for all students in grades 5, 8, and once in high school unless the student's IEP indicates administration of the CAA. Students in grades 3-8 and in high school may choose to take the optional standards-based test in Spanish (CSA) for reading/language arts. The CAASPP includes an assessment for students whose primary language is a language other than English upon enrollment in a California public school. A parent or guardian may make a written request to excuse their child from any or all parts of the assessments. (EC §§ 52052, 60604, 60615, 60640; 5 C.C.R. § 852)

52. **Local Apprenticeship and Pre-Apprenticeship Programs:** The following apprenticeship and pre-apprenticeship programs are available to students in grades 11 and 12: (EC § 48980.5.)

Visit the State of California Department of Industrial Relations webpage at www.dir.ca.gov for program availability.

53. **Oral Health Assessment:** Upon enrollment in kindergarten, or when enrolled in first grade in a public school if a student was not previously enrolled in kindergarten, a student shall present proof of having received an oral health assessment by a licensed dentist or other dental health professional performed no earlier than 12 months before the date of the initial enrollment of the student. The District has included an information sheet from the Department of Education describing this requirement. (EC § 49452.8.)

54. **Instructional Materials and Unlawful Discrimination:** The District shall not adopt or approve the use of any textbook, instructional material, supplemental

¹² Refer to Appendix H

¹³ Refer to Appendix I

instructional material, or curriculum for classroom instruction if the use of the textbook, instructional material, supplemental instructional material, or curriculum would subject a student to unlawful discrimination. A complaint regarding an alleged violation of this provision may be filed under the Uniform Complaint Procedures by any member of the public, including anyone electing to file anonymously if they provide enough information to support an allegation of noncompliance. (EC § 244.)

55. Dual Enrollment and International Baccalaureate Courses: The District offers the following dual enrollment courses:

San Joaquin Delta College:

FCS2 - Life Management - 3 Units: This course is an introduction to life management skills, providing an understanding of personal development. Students will learn how to function effectively in society. Major topics include effects of cultural forces and future trends on values, goal setting, decision-making; and time, money, stress, and conflict management. Techniques for improving self understanding and interpersonal relationships will also be discussed. (HBCU, CSU)

COUN 30 - Career Self-Assessment - 1 Unit: This course is designed to introduce students to the career life planning process. The course emphasizes self-assessment as the first major step in the career life planning process. Students identify their personality, values, interests, skills and accomplishments leading to potential career choices. (CSU)

Danger of Synthetic Drugs Memorandum

To: Parents and Guardians of Students in the San Joaquin County Office of Education's Special Education Programs

From: Rowena Fairbanks, Division Director

Subject: **Dangers of Synthetic Drugs**

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the San Joaquin County Office of Education's County Operated Schools & Programs of the dangers of the illicit use and abuse of synthetic drugs.

The illicit use and abuse of synthetic drugs represent an emerging and ongoing public health threat in California. The fentanyl crisis specifically has impacted communities across the state, leading to a sharp increase in fentanyl poisonings and deaths in recent years.

This notice aims to address the crisis with a preventative approach, ensuring students and families are educated on the deadly consequences of recreational drug use.

A synthetic drug is a drug with properties and effects similar to a known hallucinogen or narcotic but having a slightly altered chemical structure, especially such a drug created to evade existing restrictions against illegal substances.

Synthetic drugs include but are not limited to synthetic cannabinoids ("synthetic marijuana," "spice," "K2"), methamphetamines, bath salts, and fentanyl.

The California Department of Public Health ("CDPH") has expounded on the extreme danger of drugs laced with fentanyl. Illicit fentanyl can be added to other drugs to make them cheaper, more powerful, and more addictive. Illicit fentanyl has been found in many drugs, including heroin, methamphetamine, counterfeit pills, and cocaine. Fentanyl mixed with any drug increases the likelihood of a fatal overdose. Furthermore, it is nearly impossible to tell if drugs have been laced with fentanyl without additional testing because fentanyl cannot be seen, smelled, or tasted when used as a lacing agent.

There is a high risk that social media platforms are being used as a way to market and sell synthetic drugs, including fentanyl.

Additional information regarding fentanyl from the CDPH's Substance and Addiction Prevention Branch can be found on the [California Department of Public Health](http://www.cdph.ca.gov) website at www.cdph.ca.gov.

Firearms Safety Memorandum

To: Parents and Guardians of Students in the San Joaquin County Office of Education's Special Education Programs

From: Rowena Fairbanks, Division Director

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 San Joaquin County Office of Education's County Operated Schools and 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.¹⁴
 - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.¹⁵
- 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.¹⁶
- 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.¹⁷

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.

Date published: July 1, 2023
California Department of Education

¹⁴ See California Penal Code sections 25100-25125 and 25200-25220.

¹⁵ See California Penal Code section 25100(c).

¹⁶ See California Civil Code section 29805.

¹⁷ See California Civil Code section 1714.3.

Notification of Rights Under FERPA for Elementary & Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal or Student Services Director a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

In addition, the Student Aid Commission may have access to the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when a student, or his or her parent or guardian if the student is under 18 years of age, "opts out" or is permitted by the rules of the Student Aid Commission to provide test scores in lieu of his or her GPA. (EC §§ 69432.9, 69432.92) No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under 18 years of age, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified

in the notice, which shall not be less than 30 days. (EC § 69432.9)

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

**“Know Your Educational Rights” Immigration Enforcement
from the California Attorney General**

Your Child Has the Right to a Free Public Education

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

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the student’s parent or guardian to demonstrate proof of child’s age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student “directory information.” If they do, then each year, your child’s school district must provide parents/guardians with written notice of the school’s directory information policy, and let you know of your option to refuse release of your child’s information in the directory.

Family Safety Plans If You Are Detained or Deported

- You have the option to provide your child’s school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated, or bullied on the basis of their actual or perceived nationality, ethnicity, or immigration status.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:

Bureau of Children's Justice
California Attorney General's Office
P.O. Box 944255
Sacramento, CA 94244-2550
Phone: (800) 952-5225
E-mail: BCJ@doj.ca.gov
<https://oag.ca.gov/bcj/complaint>

The Attorney General's publications can be downloaded at: <https://www.oag.ca.gov/bcj>

Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right for parents of minor students to:

- A. Consent before students are required to submit a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- B. Receive notice and an opportunity to opt a student out of :
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- C. Inspect, upon request and before administration or use :
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the education curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The San Joaquin County Office of Education (SJCOE) will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. SJCOE will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. SJCOE will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. SJCOE will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
2. Administration of any unprotected information survey not funded in whole or in part by the Department of Education.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

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

Child Abuse Reporting Guidelines & Procedures

The following information will assist parents and guardians in determining whether or not child abuse has occurred and, if so, how to file a complaint of child abuse with local law enforcement. This information has been taken from the California Child Abuse and Neglect Reporting Act in the California Penal Code and from sections of the California Education Code.

Child Abuse Can Be Any of the Following:

1. A physical injury which is inflicted on a child by another person other than by accidental means.
2. The sexual abuse, assault, or exploitation of a child, such as:
 - a. The negligent treatment or maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare, whether the harm or threatened harm is from acts or omissions on the part of the responsible person;
 - b. The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition; or
 - c. The willful harming or injuring of a child or endangering of the person or the health of a child where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child Abuse Does *Not* Include:

3. A mutual fight between minors;
4. An injury that is caused by the actions of a peace officer using reasonable and necessary force within the scope of their employment; or

5. An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
 - a. To stop a disturbance threatening physical injury to people or damage to property;
 - b. For purposes of self-defense;
 - c. To obtain possession of weapons or other dangerous objects within control of a pupil; or
 - d. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

How to File a Complaint of Child Abuse Committed at a School Site

Parents and guardians of pupils have the right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. To file a complaint, the parent or guardian must file a formal report with an appropriate local law enforcement agency. An appropriate law enforcement agency may be one of the following:

1. A Police or Sheriff's Department (not including a school district police department or school security department)
2. A County Probation Department if designated by the county to receive child abuse reports, or
3. A County Welfare Department/County Child Protective Services.

The complaint may be filed over the telephone, in person, or in writing. A complaint may also be filed at the same time with your school district or county office of education. School districts and county offices of education, however, do not investigate child abuse allegations.

The local law enforcement agency is required to investigate all complaints.

If the complaint of child abuse is "substantiated" or confirmed by the local law enforcement agency, meaning that the report of child abuse or neglect, as determined by the law enforcement investigator who conducted the investigation, is, based upon the evidence, more likely to have occurred than not, then a report of the investigation will be transmitted by the law enforcement agency to the governing board of the local school district or County Office of Education. A confirmed report of child abuse or neglect received by a governing board of a school district or County Office of Education will be subject to the provisions of California Education Code section 44031, which gives school employees certain rights regarding personnel information and records.

In addition, a confirmed report shall be forwarded by the law enforcement agency that investigated the complaint to the California Department of Justice according to California Penal Code section 11169 and notice will be provided to the alleged child abuser that they have been reported to the Child Abuse Central Index, as maintained by the Department of Justice.

This guidance is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this guidance that is not supported by a specific statutory and/or regulatory requirement is not prescriptive pursuant to California Education Code section 33308.5.

Choosing a Language Acquisition Program

Parents or guardians may choose a language acquisition program that best suits their child (EC § 310). Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible. They provide instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards (20 U.S.C. § 6312[e][3][A][iii],[v]); EC § 306[c]).

Language Acquisition Programs Offered: We are required to offer, at a minimum, a **Structured English Immersion (SEI)** program option (EC § 305[a][2]).

Structured English Immersion Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.

Parents or guardians may choose a language acquisition program that best suits their child. Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. § 6312[e][3][A][viii][III]); EC § 310[a]).

Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control and Accountability Plan (EC § 52062). If interested in a different program from those listed above, please contact the Teaching and Learning Department at (209) 468-4815 to ask about the process.

About Language Acquisition Programs and Language Programs

Program Type	Characteristics
Language Acquisition Program (English Learners)	<p>The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:</p> <ul style="list-style-type: none"> • Be designed using evidence-based research and included both Designated and Integrated English Language Development; • Be allocated sufficient resources by the local educational agency (LEA) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and • Within a reasonable period of time, lead to: <ul style="list-style-type: none"> i. Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and j. Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in the other language.
Language Program (non-English Learners)	<ul style="list-style-type: none"> • Language programs offer students who are not English learners opportunities to be instructed in languages other than English • May lead to proficiency in language other than English



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APPENDICES

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Appendix A

COMMUNITY RELATIONS

Concepts and Roles in Community Relations

The San Joaquin County Office of Education recognizes that the state and local communities have an impact on the quantity and quality of educational services, programs and facilities provided by the County Office of Education. It is imperative that members of the community, members of the County Board, the Superintendent and County Office of Education staff cooperate in planning, policy development, implementation of programs and services, and in evaluation of the services and programs provided.

Community relations will consist of reporting and interpreting the activities of the County Office of Education and the County Board.

Legal Reference:

EDUCATION CODE

1260 Powers to promote advancement of education

COMMUNITY RELATIONS

The Superintendent is committed to providing educational programs and services which meet state mandates and which reflect the needs of local school districts, the community and the region. That commitment extends to include the responsibility for keeping the community and the public fully informed of the developments within the County Office of Education.

Characteristics of Good Community Relations

The success of community relations depends to a great extent on how well people understand the County Office goals and accomplishments. Community relations is a function that evaluates public attitudes, shapes the policies of the organization in the public interest and produces a program of action to earn community understanding and respect.

The characteristics of an effective community relations program are:

- **Careful Planning and Organization**

Each program, department, and the County Office of Education as a whole should have a community relations plan.

- **A Systematic Plan and Provisions for Continuous Information**

On-going communication is necessary to ensure the message is available to the public.

- **Two-way Communication**

The County Office of Education can identify needs, values and expectations, and then be responsive.

- **Development of Strategy**

It is not just what is said and done, but how things are handled that leaves impressions about character and competence.

- **Internal and External Involvement**

Sound community relations works from the inside out. Staff must be informed and involved in the decisions that affect them.

- **Recognition of Its Importance to Management and Management Issues**

It helps managers know when to modify programs and services and keeps them close to the clients they serve. It enables managers to spot emerging issues early and avoid or minimize problems later.

- **Personal Communication**

Non-verbal signals as well as how staff speak and dress, treat others, function in a meeting, handle news media, conduct interviews and hold day-to-day conversations have the effect of representing the County Office of Education.

COMMUNITY RELATIONS

Visits to the Schools

The San Joaquin County Office of Education (SJCOE) encourages parents/guardians and interested members of the community to visit the schools, view the educational program, and offer constructive comments.

Besides inviting parents/guardians and the community to open house activities and other special events, the deputy superintendent or designee shall develop procedures, which facilitate visits during regular school days when all visitors must first register at the school office.

The program administrator or designee may refuse to register any visitor whose acts or presence he/she judges would disrupt normal school operation, threaten the health and safety of students or staff, or cause property damage.

To ensure minimum interruption of the regular classroom program, school visits should be first arranged with the teacher and program administrator or designee. If a conference is desired, an appointment should be set with the teacher for a time before school, after school, or during the teacher's preparation period.

The SJCOE recognizes that under California law, any person whose conduct materially disrupts class work or extracurricular activities or cause a disturbance on school grounds may be guilty of a misdemeanor and an subject to a fine, imprisonment, or both. When such conduct occurs, the Superintendent may take action leading to the imposition of these penalties.

Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and student(s) are required to be in a connection with assigned school activities.

cf: 1112 News Media
 3514 Safety
 3515 Security
 4158 Employee Protection
 5131.7 Weapons and Dangerous Instruments

Legal Reference:

EDUCATION CODE

1040 et seq. Duties, powers of boards
1240 et seq. General duties (superintendent)
1260 Powers to promote advancement of education
1262 Consultative and coordinative services
32210 Wilful disturbance of public school or meeting
32211 Threatened disruption or interference with classes
35160 Authority
35292 Visits to schools (board members)
44810 Wilful interference with classroom conduct
44811 Disruption of class work or extracurricular activities
49334 Injurious objects - notice to law enforcement agency
51512 Prohibited use of electronic listening or recording device

PENAL CODE

242.5 Assault or battery on school property
415.5 Disturbance of peace of school;
626 Definitions (re: disruption of schools)
626.4 Notice of withdrawal or consent; report; action on report; reinstatement of consent; hearing; unlawful entry upon campus or facility; punishment
626.6 Committing act, or entry upon campus or facility to commit act, likely to interfere with peaceful activities
626.8 Disruptive presence at schools
626.9-626.10 Bringing or possessing firearms or weapons on school grounds
627-627.3 Access to school premises
627.4 Refusal or revocation of registration
627.5 Hearing request following denial or revocation of registration
627.6 Posted signs
627.7 Refusal to leave
653 Loitering about schools or public places

WELFARE AND INSTITUTIONS CODE

729 Battery on school grounds by a minor

COMMUNITY RELATIONS

Visits to the Schools/Programs

It is the policy of the San Joaquin County Office of Education (SJCOE) to welcome visits by parents/guardians/surrogates and other interested persons to schools and centers operated by SJCOE. Besides inviting parents/guardians and the community to open house activities and other special events, the deputy superintendent or designee shall develop procedures which facilitate visits during regular school days when all visitors must first immediately register at the school office. Individuals who wish to visit or have business on the campus of any public school/center operated by SJCOE must make their presence known to the SJCOE site administrator or designee before proceeding to the classroom.

The deputy superintendent, or designee, shall post at every entrance to each county-operated program a notice setting forth school hours, visitor registration location and requirements, penalties for refusing to leave school grounds, and any other announcements required by the local law enforcement agency in order to pursue the arrest of persons found loitering or trespassing.

The administrators, teachers, and staff seek to provide for the successful educational, emotional, and social development of all students. Uninterrupted, protected educational time is paramount to accomplish this goal. Observations will be reasonable so as not to disrupt classroom instruction.

The following are the visitation regulations for programs operated by SJCOE:

- 1) Parents/guardians may observe instructional and other school activities that involve their child in accordance with superintendent's policies and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodations to parents/guardians. To ensure minimum interruption of the regular classroom program, school visits should be first arranged in advance with the teacher and program administrator or designee for an agreeable time. Upon request, the superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame.
- 2) If a conference is desired, an appointment should be set with the teacher for a time before school, after school or during the teacher's preparation period.
- 3) Each visitor/observer, including but not limited to a student's guardian/parent/surrogate, must check in with the site administrator or designee before the commencement of each visit/observation.
- 4) All visitors must register. Visitors shall, upon request, furnish the administrator or designee with the following information:

- a) Name, address, and occupation;
 - b) Purpose for entering school grounds;
 - c) Proof of identity; and
 - d) Other information consistent with the provisions of law.
- 5) An employee must be present for the duration of the visitation. The length of visitation should be agreed upon by the administrator, teacher, and parent to be within reasonable duration.
- 6) The behavior of each visitor/observer, including but not limited to a student's guardian/parent/surrogate, during a school/visitation must be supportive of the school and classroom environment, e.g., no cell phones. Visitors should refrain from conversations with, including but not limited to teachers, students or staff during the visit or observation unless the purpose of the visit is a prearranged and scheduled meeting with the teacher, staff, etc.
- 7) No electronic listening or recording devices may be used by students or visitors in a classroom without the teacher and program director or administrator's permission.
- 8) Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and student(s) are required to be in connection with assigned school activities.
- 9) The principal or designee may refuse to register any visitor if it has been reasonably concluded that the visitor's presence or actions would disrupt the school, students, or employees; threaten the health and safety of students or staff; 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 a visitor's registration if there is a reasonable basis for concluding that the visitor'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. Any person the program administrator or designee asks to leave school grounds shall promptly comply.
- 10) All staff members should watch for strangers on program grounds and ask such persons if they have registered in the program office. Staff shall inform the program administrator when anyone present refuses to comply with the registration requirement.
- 11) The SJCOE recognizes that under California law, any person whose conduct materially disrupts classwork or extracurricular activities or causes a disturbance on school grounds may be guilty of a misdemeanor and subject to a fine, imprisonment, or both. Any visitor who fails to register within a reasonable time after entering the school grounds, who fails to leave upon request of the program administrator or designee, or who returns after leaving

pursuant to such a request has committed an unlawful act. When such conduct occurs, the superintendent may take action leading to the imposition of these penalties.

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the superintendent or assistant superintendent by submitting, within five (5) days after the person's departure from school grounds, 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 assistant superintendent shall promptly mail a notice of the hearing to the person requesting it. A hearing before the superintendent or assistant superintendent shall be held within seven (7) days after receipt of the request. (Penal Code 627.5)

Legal References:

EDUCATION CODE

32212 Willful disturbance, public schools or meetings

35160 Governing board powers and duties

PENAL CODE

627-627.6 Access to school premises

COMMUNITY RELATIONS

Complaints Concerning Personnel

The Superintendent places trust in San Joaquin County Office of Education (SJCOE) employees and intends to support employee actions in such a manner that they are freed from unwarranted, spiteful, or negative criticism and complaints.

The Superintendent directs that procedures be developed which permit the public to lodge complaints against employees and assure a thorough review while protecting the rights of SJCOE and its employees. All complaints are to be resolved expeditiously without disrupting the educational process.

Complaints made against an SJCOE employee will be referred to the Chief Human Resources Officer for consideration and action according to established procedures. Complaints made against a SJCOE employee that allege discrimination, harassment, intimidation, bullying, or related retaliation, and/or that allege SJCOE has violated federal or state laws or regulations governing education programs will be processed under 1312.3 – Uniform Complaint Procedure or 5145.7 – Sexual Harassment or AR 4031 – Complaints Concerning Discrimination in Employment.

When complaints involve accusations of child abuse, the provisions of this policy and regulation shall be implemented only after the child-abuse reporting requirements specified in law and SJCOE policy have been completed.

Retaliation against complainants is prohibited. The Chief Human Resources Officer may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. SJCOE will not investigate anonymous complaints unless it so desires.

cf: 1312.2 Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures
4031 Complaints Concerning Discrimination in Employment
5145.3 Nondiscrimination/Harassment
5145.7 Sexual Harassment

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints
35146 Closed sessions
44031 Personnel file contents and inspection
44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

(10/96)

COMMUNITY RELATIONS

Complaints Concerning Personnel

The Chief Human Resources Officer shall determine whether a complaint should be considered a complaint against the San Joaquin County Office of Education (SJCOE) and/or an individual employee and whether it should be resolved by the process for complaints concerning personnel and/or other SJCOE procedures. Complaints against SJCOE and/or an individual employee that allege discrimination, harassment, intimidation, bullying, or retaliation, and/or which allege that SJCOE has violated federal or state laws or regulations governing education programs will not be processed under this procedure. Such complaints will be processed under the 1312.3 – Uniform Complaint Procedure or 5145.7 – Sexual Harassment or AR 4031 – Complaints Concerning Discrimination in Employment.

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage.

1. Complaints concerning SJCOE personnel should be made directly by the complainant to the person against whom the complaint is lodged. If the complainant is uncomfortable doing so the complaint should be made directly to the Chief Human Resources Officer. Parents/guardians/citizens are encouraged to communicate directly with the staff member in order to resolve concerns.
2. If the complaint is not resolved informally, the complainant may submit a written complaint to the Chief Human Resources Officer. Complaints related to the Chief Human Resources Officer shall be initially filed in writing with the Superintendent. Complaints related to the Superintendent shall be initially filed in writing with the San Joaquin County Board of Education.

A form (E 1312.1) will be provided for the complainant's convenience. If the complainant is unable to prepare the complaint in writing, staff shall help him/her do so.

3. When a written complaint is received, the employee against whom the complaint is made shall be notified within five calendar days or in accordance with collective bargaining agreements.
4. A written complaint must include:
 - a. The name of each employee involved.
 - b. A brief, but specific, summary of the complaint and the facts surrounding it.
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

5. The Chief Human Resources Officer may designate an individual to investigate a complaint who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days, unless the complainant agrees in writing to an extension of time. If the complaint is resolved, the designated investigator will so advise all concerned parties, including the Chief Human Resources Officer.
6. Parties should consider and accept the designated investigator's decision as final. However, the complainant, the employee complained against, or the investigator may ask to address the Chief Human Resources Officer regarding the complaint.
7. If the Chief Human Resources Officer cannot resolve the complaint, it may be heard by the Superintendent. No party to a complaint may address the Superintendent unless the Superintendent has received the written report concerning the complaint from the Chief Human Resources Officer. The report shall contain, but is not limited to:
 - a. The name of each employee involved.
 - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient enough to inform the Superintendent and the parties as to the precise nature of the complaint, and to allow the parties to prepare a response.
 - c. A copy of the signed original complaint.
 - d. A summary of the action taken by the Chief Human Resources Officer with his/her specific finding that disposition of the case at that level has not been possible and the reasons why.

Refusal by SJCOE to provide the investigator with access to records and/or other information related to the allegations in the complaint, to fail or refuse to cooperate in the investigation, or to engage in any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, to fail or refuse to cooperate in the investigation, or to engage in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

The decision of the Superintendent shall be final as to remedies provided by SJCOE.

NOTIFICATIONS

The Chief Human Resources Officer shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of SJCOE complaint procedures and information about available appeals, civil law remedies, and conditions under which a complaint may be taken directly to the California Department of Education.

The Chief Human Resources Officer shall ensure that complainants understand that they may pursue other remedies, including actions before civil court or other public agencies. Remedies may include court orders, preliminary injunctions, and/or restraining orders.

The above notification shall state that complainants may seek help from agencies such as legal assistance agencies, local mediation centers, or from private attorneys.

cf: 1312.3 Uniform Complaint Procedures
4031 Complaints Concerning Discrimination in Employment
4144 Grievances
5145.3 Nondiscrimination/Harassment
5145.7 Sexual Harassment

DEPARTMENTS OF FAIR EMPLOYMENT AND HOUSING

Santa Ana DFEH

28 Civic Center Plaza, Suite 538
Santa Ana, CA 92701-4010
(714) 558-4159

Sacramento DFEH

2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
(916) 286-4095

Fresno DFEH

1900 Mariposa Mall, Suite 130
Fresno, CA 93721-2504
(209) 455-5373

San Bernardino DFEH

1845 S. Business Center Drive, #127

San Bernardino, CA 92408-3426
(909) 383-4711

Oakland DFEH

1330 Broadway, Suite 1326
Oakland, CA 94612-2512
(510) 286-4095

Ventura DFEH

5720 Ralston Street, Suite 302
Ventura, CA 93003-6081
(805) 654-4513

San Diego DFEH

110 W. "C" Street, Suite 1702
San Diego, CA 92010-3901
(619) 237-7405

Los Angeles DFEH

322 W. First Street, Suite 2126
Los Angeles, CA 90012-3112
(213) 897-1997

(3/01)

COMMUNITY RELATIONS

Uniform Complaint Procedures

As the primary employer for all San Joaquin County Office of Education (SJCOE) staff, it is the intent of the Superintendent to address and resolve any concerns and/or complaints in a prompt and equitable manner. The Superintendent recognizes that SJCOE is primarily responsible for ensuring that it complies with state and federal laws and regulations governing educational programs. Complaints against SJCOE and/or an individual that alleges sexual harassment or resulting retaliation will be processed under 5145.7 – Sexual Harassment or AR 4031 – Complaints Concerning Discrimination in Employment. Any person or group having a legitimate interest in the programs and services of SJCOE shall have the right to present a request, suggestion, or complaint concerning personnel, programs, materials, or operations. At the same time, the Superintendent has a duty to protect staff from unnecessary harassment. The Superintendent encourages the early, informal resolution of complaints at the site level whenever possible. To resolve complaints which cannot be resolved through such informal process, the Superintendent adopts the uniform system of complaint processes specified in 5 CCR §'s 4600-4670 and the accompanying administrative regulation.

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

1. Any complaint alleging SJCOE violation of applicable state or federal law or regulations governing any program subject to the UCP which is offered by SJCOE, including:
 - Accommodations for pregnant and parenting pupils
 - Adult Education
 - After School Education and Safety
 - Agricultural Career Technical Education
 - Career Technical and Technical Education; Career Technical; Technical Training (State)
 - Career Technical Education (Federal)
 - Child Care and Development
 - Compensatory Education
 - Course periods without educational content
 - Education of pupils in Foster care, pupils who are homeless, former Juvenile Court pupils now enrolled in a school district, and pupils of military families
 - Every Student Succeeds Act / No Child Left Behind (Titles I–VII)
 - Local Control and Accountability Plans (LCAP)
 - Migrant Education
 - Physical Education instructional minutes
 - Pupil fees

- Reasonable accommodations to a lactating pupil
 - Regional Occupational Centers and Programs
 - School Plans for Student Achievement
 - School Safety Plans
 - School-Site Councils
 - State Preschool
 - State Preschool Health and Safety Issues in LEAs Exempt from licensing
2. Any complaint, by a student, employee, or other person participating in SJCOE programs or activities, alleging the occurrence of unlawful discrimination, harassment (except for sexual harassment), intimidation, or bullying against any person in SJCOE programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, gender non-conformance, gender stereotyping, or any other characteristic identified in Education Code §'s 200 or 220, Government Code § 11135, or Penal Code § 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics.
 3. Any complaint alleging SJCOE noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student.
 4. Any complaint alleging noncompliance with requirements to provide a pregnancy or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and SJCOE-program graduation requirements.
 5. Any complaint alleging noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities.
 6. Any complaint alleging noncompliance with legal requirements of Education Code §'s 52060 – 52077 related to the implementation of the Local Control Accountability Plan (LCAP), including the development of an LCAP budget overview for parents/guardians.
 7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council.

8. Any complaint, by or on behalf of any student who is a foster youth, alleging noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the SJCOE's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school, district, or country, school or records transfer, or the grant of an exemption from graduation requirements.
9. Any complaint, by or on behalf of a student who transfers into SJCOE programs after the second year of high school and is a homeless child or youth as defined in 42 USC § 11434(a), a former juvenile court school student currently enrolled in an SJCOE programs, a child of a military family as defined in Education Code § 49701, or a migrant student participating in a newcomer program as defined in Education Code § 51225.2 in the third or fourth year of high school, alleging grant of an exemption from graduation requirements.
10. Any complaint alleging noncompliance with the requirements of Education Code §'s 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9 – 12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions.
11. Any complaint alleging noncompliance with the physical education instructional minutes requirement for students in elementary school.
12. 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.
13. Any other complaint as specified in a SJCOE policy.

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

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

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

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

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

Non-UCP Complaints

The following complaints shall not be subject to the SJCOE UCP but shall be referred to the specified agency:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services Protective Services Division, and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by SJCOE in accordance with the procedures specified in AR 4030 – Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

In addition, SJCOE Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials.
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff.
3. Teacher vacancies and misassignments.
4. Health and safety violations in any license-exempt California State Preschool Program.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
222 Reasonable accommodations; lactating students
8200-8498 Childcare and development programs
8500-8538 Adult basic education
18100-18203 School libraries
33380-33384 California Indian Education Centers
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
44500-44508 California Peer Assistance and Review Program for Teachers
46015 Parental leave for students
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49069.5 Rights of parents
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
51228.1-51228.3 Course periods without educational content
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52490 Career-technical education
52500-52616.24 Adult schools
54400-54425 Compensatory education programs
54440-54445 Migrant Education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 School plan for student achievement
65000-65001 School site councils

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations
104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Applicability of uniform complaint procedures to complaints regarding students with disabilities
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6577 Title I Improving the Academic Achievement of the Disadvantaged
6801-6871 Title III Language instruction for limited English proficient and immigrant students

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin

- 104.7 Designation of responsible employee for Section 504
- 106.8 Designation of responsible employee for Title IX
- 106.9 Notification of nondiscrimination on basis of sex
- 110.25 Notification of nondiscrimination on the basis of age

COMMUNITY RELATIONS

Uniform Complaint Procedure

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

Compliance Officer

The Superintendent expects that complaints of alleged noncompliance or discrimination brought by students, employees, parents/guardians, or other members of the community will be resolved in a prompt and equitable manner.

The Superintendent designates the following position as the Noncompliance/Nondiscrimination Coordinator to receive and investigate complaints and to ensure SJCOE compliance with the law:

Chief Human Resources Officer
San Joaquin County Office of Education
2922 Transworld Drive, Stockton, CA 95206 (physical)
P.O. Box 213030, Stockton, CA 95213-9030 (mailing)
(209) 468-4820

The Chief Human Resources Officer may assign another compliance officer to investigate and resolve a complaint. The Chief Human Resources Officer shall promptly notify the complainant if another compliance officer is assigned to the complaint.

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

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

The Chief Human Resources Officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the Chief Human Resources Officer, or the administrator, shall consult with the Superintendent or designee or, if appropriate, the site administrator to implement one or more interim measures. The interim measures shall remain in place until the Chief Human Resources Officer determines that they are no longer necessary or until SJCOE issues its final written decision, whichever occurs first.

Notifications

SJCOE UCP policy and administrative regulation shall be posted in all SJCOE school sites and offices, including staff lounges. The Chief Human Resources Officer shall annually provide written notification of the SJCOE UCP, to students, employees, parents/guardians, of SJCOE students, SJCOE advisory committees, school advisory committee members, appropriate private school officials or representatives, and other interested parties.

The notice shall include:

1. A statement that SJCOE 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 all programs and activities that are subject to UCP as identified in the section “Complaints Subject to UCP” in the accompanying Superintendents Policy.
2. 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.
3. 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 SJCOE’s educational program, including curricular and extracurricular activities.
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred.
5. A statement that SJCOE will post a standardized notice of the educational rights of foster youth, homeless student, former juvenile court school students now enrolled in SJCOE programs, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code §’s 48853, 47753.5, 49069.5, 51225.2, and the complaint process.
6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints.
7. A statement that complaints will be investigated in accordance with SJCOE’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.

8. A statement that the complainant has a right to appeal SJCOE's decision to California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and SJCOE's decision, within 15 days of receiving SJCOE's decision.
9. A statement advising the complainant of any civil law remedies, including but not limited to injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.
10. A statement that copies of SJCOE's UCP are available free of charge.

The annual notification and complete contact information of the compliance officer and information related to Title IX pursuant to Education Code § 221.61 shall be posted on the SJCOE web site and, if available, provided through SJCOE-supported social media

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in SJCOE policy, regulation, forms, and notices concerning the UCP.

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

SJCOE Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of SJCOE's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

The Chief Human Resources Officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR §'s 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the Chief Human Resources Officer shall keep all complaints or allegations of unlawful discrimination, harassment, intimidation, bullying, or related retaliation confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process.

Filing of Complaint

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

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

All complaints shall be filed in accordance with the following:

1. A written complaint alleging SJCOE violation of applicable state or federal law or regulations governing including adult education programs; After School Education and Safety programs; agricultural career technical education; American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, and technical training programs; federal career technical education; child care and development programs, child nutrition programs, compensatory education; consolidated categorical aid programs; Economic Impact Aid; the federal Every Student Succeeds Act; migrant education; school safety plans; special education programs; California State Preschool Programs; Tobacco-Use Prevention Education programs; and any other SJCOE-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code § 64000 may be filed by any individual, public agency, or organization.
2. Any complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, 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 school site administrator or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred.
3. A complaint alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation may be filed by persons who allege that they have personally suffered unlawful discrimination, harassment, intimidation, bullying, or retaliation or by persons who believe that an individual, or any specific class of individuals, has been subjected to unlawful discrimination, harassment, intimidation, bullying, or retaliation. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, bullying, or retaliation occurred or when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation, bullying, or related retaliation. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
4. When a complaint alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation is filed anonymously, the Chief Human Resources Officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination, harassment, intimidation, bullying, or related retaliation requests confidentiality, the Chief Human Resources Officer shall inform complainant or victim that the request may limit the ability of SJCOE to investigate the conduct or take other necessary action. When honoring a request for confidentiality, SJCOE shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.
6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, SJCOE staff shall help in filing the complaint.

Mediation

Within three business days after receiving the complaint, the Chief Human Resources Officer may informally discuss with all the parties, the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of 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 Chief Human Resources Officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation, the Chief Human Resources Officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The Chief Human Resources 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 the law, the Chief Human Resources Officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend SJCOE'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, SJCOE shall take only the actions agreed upon through mediation. If mediation is unsuccessful, SJCOE shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the Chief Human Resources Officer receives the complaint, the Chief Human Resources Officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the Chief Human Resources Officer shall provide an opportunity for the complainant and/or representative to present the information contained in the complaint and shall notify the complainant and/or representative of the opportunity to present the Chief Human Resources Officer with any evidence, or information

leading to evidence, to support the allegations in the complaint. Such evidence of information may be presented at any time during the investigation.

In conducting the investigation, the Chief Human Resources Officer also shall collect all 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 Chief Human Resources Officer shall individually interview all 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 Chief Human Resources Officer shall inform both parties of the status of the investigation.

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

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, to fail or refuse to cooperate in the investigation, or to engage in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

The accused and/or their representative and SJCOE representatives shall also have an opportunity to present any evidence or information relevant to the complaint. Refusal by the accused and/or by SJCOE to provide the investigator with access to records and/or other information related to the allegations in the complaint, to fail or refuse to cooperate in the investigation, or to engage in any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Timeline for Final Decision

Unless extended by written agreement with complainant, the Chief Human Resources Officer shall prepare and send to the complainant a written report, as described in the following section, within 60 calendar days of SJCOE's receipt of the complaint.

For any complaint alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation, the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent SJCOE's final written decision at the same time it is provided to the complainant.

Final Written Decision

The report of the decision shall be in writing and sent to the complainant.

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

This report shall include:

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses.
 - b. The relative credibility of the individuals involved.
 - c. How the complaining individual reacted to the incident.
 - d. Any documentary or other evidence relating to the alleged conduct.
 - e. Past instances of similar conduct by any alleged offenders.
 - f. Past false allegations made by the complainant.
2. Conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.

For complaints of unlawful discrimination, harassment, intimidation, bullying, or related retaliation, the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education.
 - b. The type, frequency, and duration of the misconduct.
 - c. The relationship between the alleged victim(s) and offender(s).
 - d. The number of persons engaged in the conduct and at whom the conduct was directed.
 - e. The size of the school, location of the incidents, and context in which they occurred.
 - f. Other incidents at the school involving different individuals.
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code § 49013 and 5 CCR § 4600.

For complaints of unlawful discrimination, harassment, intimidation, bullying, or related retaliation, the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent.

- b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence.
6. Notice of complainant's and respondent's right to appeal the decision within 15 days to the CDE and procedures to be followed for initiating such an appeal. The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

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

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

For complaints alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation complaints based on state law, the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of SJCOE's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 days after filing of an appeal with the CDE.
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.
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 Chief Human Resources Officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or SJCOE environment may include, but are not limited to, actions to reinforce SJCOE policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

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

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

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

SJCOE 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, bullying, or related retaliation that SJCOE does not tolerate, and how to report and respond to it.

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

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, SJCOE shall provide a remedy to all

affected students and parents/guardians subject to procedures established by regulation of the State Board of Education.

For complaints alleging noncompliance with the laws regarding student fees, SJCOE shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint.

Appeals to the California Department of Education

Any complainant who is dissatisfied with SJCOE's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the decision of SJCOE.

When appealing to the CDE, within 15 days of receiving the decision, the complainant must specify the reason(s) for appealing the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and the decision.

When a respondent in any complaint alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation is dissatisfied with the final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by the CDE that SJCOE's decision has been appealed, the Superintendent or designee shall forward the following documents to the CDE:

1. A copy of the original complaint.
2. A copy of the written decision.
3. A summary of the nature and extent of the investigation conducted by SJCOE, if not covered by the decision.
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the designated investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of SJCOE uniform complaint procedures.
7. Other relevant information requested by the CDE.

COMMUNITY RELATIONS

Exhibit 1

San Joaquin County Office of Education

Uniform Complaint Procedures Annual Notification

To: Students, Employees, Parents or Guardians of its students, School and District Advisory Committees, Appropriate Private School Officials or Representatives, and Other Interested Parties

San Joaquin County Office of Education (SJCOE) has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, bullying and complaints alleging violation of state or federal laws governing educational programs.

SJCOE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by the San Joaquin County Board of Education. UCP complaints may be based on unlawful discrimination, harassment (all forms of harassment aside from sexual harassment which will be processed under 5145.7 – Sexual Harassment or AR 4031 – Complaints Concerning Discrimination in Employment), intimidation, or bullying against any person in SJCOE programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, gender non-conformance, gender stereotyping, genetic information, or any other characteristic identified in Education Code §§ 200 or 220, Government Code § 11135, or Penal Code § 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics. The UCP shall also be used to investigate and resolve the following complaints:

1. Any complaint alleging SJCOE violation of applicable state and/or federal laws or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and developmental programs, child nutrition programs, special education programs.
2. Any complaint alleging SJCOE noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student.

3. Any complaint alleging noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities that constitute an integral fundamental part of the education program of SJCOE, including curricular and extracurricular activities.
4. Any complaints alleging noncompliance with the legal requirements related to the implementation of the Local Control Accountability Plan (LCAP) by SJCOE.
5. Any complaint, by or on behalf of any student who is a foster youth, alleging SJCOE noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the SJCOE's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from graduation requirements.
6. Any complaint, by or on behalf of a homeless student as defined in 42 USC § 11434a, alleging SJCOE noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from graduation requirements.

A foster youth or homeless student who transfers into a county-operated high school or between county-operated high schools shall be notified of the SJCOE's responsibility to:

- a) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed.
 - b) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency.
 - c) If the student has completed his/her second year of high school before the transfer, provide the student information about SJCOE-adopted coursework and SJCOE-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1.
7. Any complaint alleging SJCOE noncompliance with the requirements of Education Code §§ 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions.
 8. Any complaint alleging SJCOE noncompliance with the physical education instructional minutes requirement for students in elementary school.

9. Any complaint alleging SJCOE noncompliance with federal or state laws or regulations governing regional occupational centers and programs.
10. Any complaint alleging SJCOE noncompliance with federal or state laws or regulations governing SJCOE's participation in any student financial assistance program authorized by Title IV.
11. 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.
12. Any other complaint as specified in a SJCOE policy.

Complaints must be filed in writing with the following compliance officer:

Chief Human Resources Officer
2922 Transworld Drive, Stockton, CA 95206 (physical)
P.O. Box 213030, Stockton, CA 95213-9030 (mailing)
FAX: (209) 468-9226

SJCOE ensures that the Chief Human Resources Officer responsible for compliance and/or investigations is knowledgeable about the laws/programs that he/she is assigned to investigate.

Complaints alleging unlawful discrimination, harassment, intimidation, bullying, or related retaliation must be filed within six months from the date the alleged discrimination, harassment, intimidation, bullying, or retaliation occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, bullying, or retaliation.

Complaints will be investigated and a written decision or report will be sent to the complainant within 60 days from the receipt of the complaint. This 60 day time period may be extended by written agreement of the complainant. The Chief Human Resources Officer shall conduct and complete the investigation in accordance with 5 CCR §§ 4680-4687 and in accordance with local procedures adopted under 5 CCR § 4621.

Any complainant who is dissatisfied with the final written decision has a right to appeal the decision made by SJCOE to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the decision. The complainant must specify the reason(s) for appealing the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal must include a copy of the locally filed complaint and the decision.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the complainant may:

1. Pursue available civil law remedies outside of the SJCOE complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Ed. 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. (Ed. on 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.

A copy of UCP shall be available free of charge. SJCOE will provide written notice of the revised UCP to all parents and students in SJCOE educational programs by publication on the SJCOE website.

COMMUNITY RELATIONS

Williams Uniform Complaint Procedures

Types of Complaints

The San Joaquin County Office of Education (SJCOE) shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:
 - a. A student, including an English-learner, does not have standards-aligned textbooks or instructional materials or state- or SJCOE-adopted textbooks, or other required instructional materials to use in class.
 - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. A student was provided photocopied sheets from only a portion of a textbook, or instructional materials, to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment:
 - a. A semester begins and a teacher vacancy exists.
 - b. A teacher who lacks credentials or training to teach English-learners is assigned to teach a class with more than 20 percent English-learner students in the class.
 - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy – means a position to which a single-designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single-designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Beginning of the year or semester – means the first day classes necessary to serve all the students enrolled are established with a single-designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester.

Misassignment – means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or a credential, or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

3. Complaints regarding the condition of school facilities, including any complaint alleging that:
 - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

Emergency or urgent threat – means structures or systems that are in a condition that pose a threat to the health and safety of students or staff while at school, including but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate.

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code § 35292.5.

Clean or maintained school restroom – means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

Open restroom – means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs.

In any SJCOE school serving any of grades 6 - 12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code § 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use SJCOE's complaint form in order to file a complaint.

The Superintendent or designee shall ensure that the complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired.

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code § 35186.

Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the Chief Human Resources Officer at the following address:

Chief Human Resources Officer
San Joaquin County Office of Education
2922 Transworld Drive, Stockton, CA 95206 (physical)
P.O. Box 213030, Stockton, CA 95213-9030 (mailing)
(209) 468-4820

Such complaints may also be filed with the program administrator where the complaint arises. The program administrator shall then forward all complaints to the Chief Human Resources Officer in a timely manner. The Chief Human Resources Officer shall forward a complaint about problems beyond their authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. SJCOE shall have a complaint form (E 1312.4) available for such Williams Complaints. Complaints may be filed anonymously.

Investigation and Response

The Chief Human Resources Officer shall make all reasonable efforts to investigate any problem within their authority and shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the Chief Human Resources Officer shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. At the same time, the Chief Human Resources Officer shall report the same information to the Superintendent or designee.

When Education Code § 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Superintendent.

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section “Types of Complaints” above, a complainant who is not satisfied with the resolution provided by the Chief Human Resources Officer, or Superintendent, may file an appeal to the State Superintendent of Public Instruction within 15 days of receiving the response. Complainant shall comply with the appeal requirements of 5 CCR 4632.

All complaints and written responses shall be public records.

Reports

On a quarterly basis, the Superintendent or designee shall report, to the County Board of Education at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints.

Legal Reference:

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying
1240 County superintendent of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedures
35292.5-35292.6 Restrooms, maintenance and cleanliness
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide program

COMMUNITY RELATIONS

Williams Uniform Complaint Procedures

Exhibit 1

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English-learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class, not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy – means a position to which a single-designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single-designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment – means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. A complaint form may be obtained at the San Joaquin County Office of Education (SJCOE), or downloaded from the SJCOE website. You may also download a copy of the California Department of Education (CDE) complaint form from the following website <http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the complaint form from SJCOE or the complaint form from the California Department of Education.

Exhibit 2**COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

CONTACT INFORMATION: (if response is requested)

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

E-mail address, if any: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Date problem was observed: _____

Exhibit 2 (Continued)

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact SJCOE for the appropriate SJCOE complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation).

1. Textbooks and instructional materials:

- ☐ A student, including an English Learner, does not have standards-aligned textbooks or instructional materials, or state- or SJCOE-adopted textbooks, or other required instructional materials to use in class.
- ☐ A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
- ☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- ☐ A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment:

- ☐ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single-designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single-designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
- ☐ A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- ☐ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Exhibit 2 (Continued)

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

3. Facility conditions:

- ☐ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff while at school, including but not limited to, including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition, and any other conditions SJCOE determines appropriate.
- ☐ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- ☐ The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when closing of the restroom is necessary for student safety or to make repairs.

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

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Exhibit 2 (Continued)

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

Please file this complaint with the person specified below at the following location:

Chief Human Resources Officer
San Joaquin County Office of Education
2922 Transworld Drive, Stockton, CA 95206 (physical)
P.O. Box 213030, Stockton, CA 95213-9030 (mailing)
(209) 468-4820

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)

(08/14)

Appendix B

STUDENTS

Bullying

The San Joaquin County Office of Education (SJCOE) Operated Programs recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. County Office employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

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

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, SJCOE policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

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

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

SJCOE staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

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

Intervention

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

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. Action may also involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with SJCOE uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

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

cf: 0420 School Plan/Site Council
1220 Citizen Advisory Committees
1312.3 Uniform Complain Procedures
4131 Staff Development
5131 Conduct
5136 Gangs
5138 Conflict Resolution/Peer Mediation
5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
5145.2 Freedom of Speech/Expression
5145.3 Nondiscrimination/Harassment
5145.7 Sexual Harassment
6020 Parent Involvement
6163.4 Student Use of Technology
6142.8 Comprehensive Health Education

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices

PENAL CODE

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

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

(4/13)

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Tobacco-Free Schools

The Superintendent recognizes that the health hazards associated with smoking and the use of tobacco and nicotine products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

The Superintendent prohibits smoking and/or the use of tobacco products at any time in any San Joaquin County Office of Education (SJCOE) owned or leased buildings, on SJCOE property, and in SJCOE vehicles.

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off SJCOE property. Any written joint use agreement governing community use of SJCOE facilities or grounds shall include notice of SJCOE tobacco-free schools policy and consequences for violations of SJCOE policy.

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Tobacco products include:

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
3. Any component, part, or accessory of a tobacco product, whether or not sold separately.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patches or nicotine gum.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

cf: 1330 Facility Use Policy
3514 Safety
5131.62 Tobacco
6142.8 Smoke Free Education
6143 Courses of study

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

104559 Tobacco use prohibition

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

(7/16)

INSTRUCTION

Tobacco

The Superintendent recognizes the serious health risks presented by tobacco use and desires to ensure that, through adoption of consistent policies, students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

The Superintendent or designee shall provide prevention intervention, and cessation education, information, activities, and/or referrals to students and shall ensure consistent enforcement of San Joaquin County Office of Education (SJCOE) policies prohibiting student possession and use of tobacco products.

Prohibition Against Tobacco Use

Students shall not be possess, smoke, chew or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of SJCOE employees.

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Tobacco products include:

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
3. Any component, part, or accessory of a tobacco product, whether or not sold separately.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to SJCOE policy and regulation for addressing the administration of medications on campus.

Prevention Instruction

SJCOE shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which SJCOE participates.

Intervention/Cessation Services

SJCOE may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. When appropriate, such intervention services may be provided as an alternative to suspension for tobacco possession.

Program Planning

The SJCOE tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in SJCOE schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of SJCOE services.

The Superintendent or designee shall coordinate with the local health department in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, SJCOE staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

The Superintendent or designee also shall coordinate tobacco-use prevention and intervention program with other SJCOE efforts to reduce students' use of illegal substances and to promote student wellness.

The Superintendent or designee shall select anti-tobacco programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet SJCOE needs.

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity, which has received funding from the tobacco industry.

Program Evaluation

To evaluate the effectiveness of the program and ensure accountability by SJCOE, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the CDE if required, the data specified in Health and Safety Code 104450.

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

cf. 1220 Citizen Advisory Committee
1325 Advertising and Promotion
3290 Contributions and Gifts
3513.3 Tobacco-Free Schools
3514 Safety
5022 Student and Family Privacy Rights
5030 Student Wellness
5131 Conduct
5131.6 Student Substance Abuse
5144 Discipline
5144.1 Suspension and Expulsion/Due Process
5141.2 Suspension and Expulsion/Due Process (Individuals with Exceptional Needs)
5146 Married/Pregnant/Parenting Students
6142.8 Smoke Free Education
6143 Courses of Study

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
51202 Instruction in personal and public health and safety
60041 Instructional materials, portrayal of effects of tobacco use

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education
104559 Tobacco use prohibition
119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment
6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

(07/16)

Appendix D

STUDENTS

Parent Rights and Responsibilities

The Superintendent recognizes that parents/guardians of San Joaquin County Office of Education (SJCOE) students have certain rights as well as responsibilities related to the education of their children.

The Superintendent believes that the education of the SJCOE's students is a shared responsibility. The Superintendent or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians, school staff and students for continuing the intellectual, physical, emotional and social development and well-being of students at each program site, including the means by which the county-operated program and parents/guardians can help students achieve academic and other standards of the program.

Within this framework, the SJCOE's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the SJCOE and county-operated programs.

Parents/guardians shall have the opportunity to work with county-operated programs in a mutually supportive and respectful partnership and to help their children succeed in school.

The Superintendent or designee shall ensure that SJCOE staff understand the rights of parents/guardians afforded by law, Superintendent policy, and Administrative Regulation and follow acceptable practices that respect those rights.

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights in accordance with law.

The Superintendent or designee shall take all reasonable steps to ensure that all parents/guardians who speak a language other than English are properly notified in English, and in their home language of the rights and opportunities available to them pursuant to Education Code 48985.

cf: 4131 Staff Development
 4231 Tuition Reimbursement
 5145.6 Notifications to Parents and Students
 6020 Parent Involvement

Legal Reference:

EDUCATION CODE:

33126 School accountability report card
35291 Disciplinary rules
48070.5 Promotion and retention of students
48985 Notice to parent in language other than English
49091.10-49091.19 Parental review of curriculum and instruction
49602 Confidentiality of pupil information
51100-51102 Parent/guardian rights
51513 Personal beliefs
60510 Disposal of surplus instructional materials

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act
1232h Protection of pupil rights

(11/02)

STUDENTS

Interdistrict Attendance

The San Joaquin County Office of Education (SJCOE) recognizes that each school district has primary responsibility for the education of its school age residents. In exercising that responsibility, each district makes decisions based on what is best for its students. The SJCOE acknowledges the principle that campuses shall be safe, secure, and peaceful. The SJCOE also recognizes that parents/guardians and students have the right to an appeal process beyond the local jurisdiction.

An appeal may be filed with the San Joaquin County Board of Education (County Board) if:

1. The Board of a school district refuses to enter into an interdistrict attendance transfer agreement within thirty (30) calendar days after the person having legal custody of any student(s) has requested the Board to do so and the appeal processes of the denying district(s) have been exhausted; or,
2. The district(s) failed to respond during the school year in progress to a request by the person having legal custody of any student(s) for interdistrict transfer of attendance within thirty (30) calendar days; or,
3. Within fourteen (14) calendar days following the commencement of instruction in a new term in each of the school districts respectively, and thirty (30) or more calendar days after a written request for an interdistrict attendance transfer for the next school year was filed with the district of residence.

An appeal must be filed within thirty (30) calendar days of the refusal or failure to permit interdistrict transfer of attendance. Failure to appeal within the required time is good cause for denial of an appeal. An appeal shall be accepted only upon verification by the Board's designee that appeal within the districts have been exhausted. The County Board shall, within thirty (30) calendar days after filing of the appeal, determine if the student should be permitted to attend in the district in which (s)he desires to attend and for what period of time. If it is impractical to schedule the hearing within thirty (30) days, the Superintendent or County Board may extend the time period for up to five (5) additional school days.

If the interdistrict attendance appeal involves school districts located in different counties, the appeal will be heard by the County Board for the district denying an agreement or refusing or failing to enter into an agreement. If both districts in different counties deny an agreement, or refuse or fail to enter into an agreement, the County Board for the district of residence shall hear the appeal. If the appeal is granted, the County Board for the other district will be asked to agree. If the two County Boards do not then agree, the pupil's appeal shall be denied.

The SJCOE shall base its decision on a review of the original evidence presented to the district issuing the denial. If new evidence or grounds for the request are presented that the County Board believes would have affected the original decision, the County Board may remand the matter for further consideration by the districts. In all other cases, the appeal shall be granted or denied on its merits.

The Superintendent is directed to develop the administrative regulation necessary to carry out the appeal process.

cf: 5111 Admission

Legal References:

EDUCATION CODE

46600-46611 Interdistrict attendance computation

46621 Newly formed, changed or joint district

48204 Residency requirements for school attendance

48209-48209.16 Student attendance alternatives

48915 Expulsion

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Admission of persons including nonresidents to attendance area; workers' compensation for pupils

Appendix F

STUDENTS

Sexual Harassment

The San Joaquin County Office of Education (SJCOE) recognizes that sexual harassment can cause embarrassment, feeling of powerlessness, loss of self-confidence, reduced ability to perform schoolwork, and increased absenteeism or tardiness. SJCOE also recognizes that sexual harassment, like other disruptive or violent behavior, is conduct that disrupts a student's ability to learn and the ability of SJCOE to educate its students in a safe environment. This policy applies to the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity or program.

This policy, and its accompanying administrative regulation, contains information about and procedures that will apply to sexual harassment complaints and retaliation resulting from a sexual harassment complaint in any activity or program filed by, or on behalf of, students at the site level. All complaints alleging discrimination and/or all other forms of harassment will be processed pursuant to 1312.3 - Uniform Complaint Procedure.

Definitions

Pursuant to definitions set forth in Education Code 252.5, the following categories of conduct are included within the scope of sexual harassment, which is a form of sexual discrimination.

Education Code 212.5 provides that prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

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

Sexual Harassment includes, but is not limited to, the following actions:

1. Verbal Harassment: Such as repeated, unsolicited derogatory comments or slurs, or continued request for social or sexual contact after being advised such is unwelcome.
2. Physical Harassment: Such as physical interference or contact which is unwelcome or which impedes normal work movement when directed at an individual.
3. Visual Harassment: Such as derogatory posters, cartoons, or drawings, staring, or leering.
4. Sexual Favors: Such as sexual advances which condition an educational benefit in exchange for sexual favors or which may be perceived as such.

The Superintendent or designee shall ensure that students annually receive age-appropriate information related to sexual harassment and the appropriate complaint procedure. Students shall be assured that they need not endure any form of sexual behavior or communication, including harassment because of sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school. Students complaining of sexual harassment shall not be required to work out the problem directly with the individual alleged to be harassing him/her.

Any student who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action, which may include suspension and/or expulsion.

Any employee who engages in, permits, or fails to report sexual harassment, shall be subject to disciplinary action up to, and including, dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

Obligations of All Employees

1. All employees (administrators, certificated staff, and classified staff) are responsible for familiarizing themselves with all SJCOE sexual discrimination policies and complaint procedures (including sexual harassment complaint procedures). Employees are responsible to be familiar with their duties in reporting incidents of sexual harassment which they observe or of which they otherwise have knowledge.
2. Within 24 hours of knowing of a complaint, employees shall report to the Director of Human Resources any conduct on the part of other employees or non-employees, such as sales representatives or service vendors, who sexually harass any student.
3. All employees shall cooperate with any investigation of an alleged act of sexual discrimination/harassment conducted by SJCOE or by an appropriate state or federal agency.

4. No employee of SJCOE shall take any action to discourage a victim of harassment from reporting such an instance. In addition, SJCOE prohibits any retaliation against the complaining party or other involved parties. Any person who violates this prohibition is subject to disciplinary action.
5. Because different procedures apply after a formal governmental administrative charge or complaint is filed, any supervisor receiving such a charge or complaint is directed to report it immediately to the Director of Human Resources.
6. Although it is the goal of this policy to identify and prevent sexually harassing behavior, if the problems and/or concerns arise, the affected student is urged to make use of the process set forth with the administrative regulation – AR 5145.7. However, any student has an absolute right to file a complaint with the Office of Civil Rights at any time within 180 days of the alleged harassment. (Office of Civil Rights, U.S. Department of Education, 50 Beale Street, Suite 7200, San Francisco, CA 94105. Phone (415) 486-5555)

Information on the sexual harassment policy and complaint procedure shall be annually disseminated to students, staff, and parents/guardians. All publications containing a summary of the policy will identify where the full policy can be obtained.

Students shall be informed that they should immediately contact a staff member if they feel they are being harassed. Within 24 hours, staff shall report complaints of sexual harassment to the Director of Human Resources. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The Director of Human Resources shall immediately investigate, or designate an individual to investigate, any report of the sexual harassment of a student. Upon verifying that sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment and on others in the campus community, and prevent any further instances of the harassment.

SJCOE prohibits retaliatory behavior against any complainant or any participant in the complaint process. All allegations of retaliation resulting from a sexual harassment complaint will be processed pursuant 5145.7 – Sexual Harassment. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

- cf:*
- 0410 Nondiscrimination in Programs and Activities
 - 1312 Uniform Complaint Procedures
 - 1312.1 Complaints Concerning Personnel
 - 1312.3 Uniform Complaint Procedures
 - 4031 Complaints Concerning Discrimination in Employment
 - 4118 Suspension/Disciplinary Action
 - 4119.11/4219.11/4319.11 Sexual Harassment
 - 4119.23/4219.23/4319.23 Unauthorized Release of Confidential/Privileged Information)
 - 4218 Dismissal/Suspension/Disciplinary Action
 - 5125 Student Records
 - 5131 Conduct
 - 5131.2 Bullying
 - 5131.5 Vandalism
 - 5141.4 Child Abuse Reporting Procedures
 - 5141.41 Child Abuse Prevention
 - 5144.1 Suspension and Expulsion/Due Process
 - 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
 - 5145.3 Nondiscrimination/Harassment
 - 5145.7 Sexual Harassment

Legal Reference:

EDUCATION CODE

200-240 Prohibition of discrimination on the basis of sex, especially:

212.5 Sexual harassment

212.6 Sexual harassment policy

230 Particular practices prohibited

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion, sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, 1972 Education Act Amendments

UNITED STATES CODE, TITLE 42

2000d & 2000e et seq. Title VI & Title VII, Civil Rights Act of 1964 as amended

Franklin v. Gwinnet County Schools (1992) 112 S. Ct. 1028

Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d 1447

Clyde K. v. Puyallup School District #3 (1994) 35 F.3d 1396

Oona R.-S. etc. v. Santa Rosa City Schools et al (1995) 890 F.Supp. 1452

Patricia H. v. Berkeley Unified School District (1993) 830 F.Supp. 1288

Rosa H. v. San Elizario Ind. School District, 887 F. Supp. 140, 143 (W.D. Tex. 1995)

Davis v. Monroe County Board of Education (1996, 11th Cir.) 74 F.3d 1186

Kelson v. City of Springfield, Oregon (1985, 9th Cir.) 767 F.2d 651

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 Nondiscrimination on the basis of sex in education programs

(3/12)

Appendix G
HEALTHY SCHOOLS ACT OF 2000

Notice to all students, parents/guardians and employees of San Joaquin County Office of Education:

Education Code sections 17608 et seq. requires, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The San Joaquin County Office of Education expects to use the following pesticides at its campuses during the upcoming year:

Name	EPA#	Description
Alpine WSG Insecticide	499-561	Dinotefuran 40.0%
Fendona CS	499-570-AA	Alpha-Cypermethrin
Tekko Pro	53883-335-AA	Novaluron, Pyriproxyfen
Patrol	100-1066	Lambda-Cyhalothrin 9.7%
Syngenta Advion Ant Gel	100-1498	Indoxacarb .06%
Syngenta Avion Cockroach Gel Bait	100-1484	Indoxacarb .06%
Nisus Niban FG	64405-2	Orthoboric Acide 5%
Victor Wasp and Hornet Killer	N/A	Mint Oil 8%
Trapper Glue Boards	N/A	N/A
Tread3 Blox	12455-106-AA	Cholecalciferol

Parents/guardians of the San Joaquin County Office of Education can register with the District's designee, Division Director of Operations & Support Services, to receive notification of individual pesticide applications by calling 209-468-9061. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department's web-site at www.cdpr.ca.gov.

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Student Fees and Charges

The Superintendent recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them. No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the San Joaquin County Office of Education (SJCOE) programs, including curricular and extracurricular activities.

As necessary, the Superintendent may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and charges, the SJCOE shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the program administrator using the SJCOE's procedures in SP/AR 1312.3 - Uniform Complaint Procedures.

The program administrator or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all SJCOE programs' students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against SJCOE requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures.

cf: 1312.3 Uniform Complaint Procedures
1321 Solicitation of Funds from and by Students
3100 Budget
3290 Gifts, Grants and Bequests
3515.4 Recovery for Property Loss or Damage
3553 Free and Reduced Price Meals
4112.9/4212.9/4312.9 Employee Notifications
5143 Insurance
5145.6 Parental Notifications

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services
8263 Child care eligibility
8760-8773 Outdoor science and conservation programs
17551 Property fabricated by students
19910-19911 Offenses against libraries
32033 Eye protective devices
32221 Insurance for athletic team member
32390 Fingerprinting program
35330-35332 Excursions and field trips
35335 School camp programs
38080-38085 Cafeteria establishment and use
38120 Use of school band equipment on excursions to foreign countries
39807.5 Payment of transportation costs
39837 Transportation of students to places of summer employment
48050 Residents of adjoining states
48052 Tuition for foreign residents
48904 Liability of parent or guardian
49010-49013 Student fees
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant aliens
60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted
4622 Notice

UNITED STATES CODE, TITLE 8

1184 Foreign students

(6/93) 11/12

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Firearms on School Grounds

The Superintendent is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, insurance carriers, and other appropriate individuals and agencies to address the security of school campuses.

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots.

If a San Joaquin County Office of Education (SJCOE) employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the administrator or designee and law enforcement.

The prohibition against the possession of firearms on school grounds shall be included in the SJCOE comprehensive safety plan and shall be communicated to staff, parents/guardians, and the community.

cf. 1112 News Media
 3515 Campus Security
 4158/4258/4358 Employee Security
 5131.4 Student Disturbances
 5131.7 Weapons and Dangerous Instruments

Legal Reference:

EDUCATION CODE

32281 Comprehensive safety plan
35160 Powers and duties of the board
38001.5 District security officers; requirements if carry firearm

PENAL CODE

626.9 Gun Free School Zone Act
830.32 District police department; district decision to authorize carrying of firearm
16150 Definition of ammunition
16520 Definition of firearm
26150-26225 Concealed weapons permit
30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

921 Definitions, firearms and ammunition
922 Firearms, unlawful acts
923 Firearm licensing

UNITED STATES CODE, TITLE 20

7151 Gun-Free Schools Act; student expulsions for possession of firearm

(12/17)

Appendix J

ALL PERSONNEL

Professional Standards

The Superintendent expects San Joaquin County Office of Education (SJCOE) employees to maintain the highest ethical standards, exhibit professional behavior, follow superintendent policies and administrative regulations, abide by state and federal laws, and exercise good judgement when interacting with students and other members of the educational community. Employee conduct should enhance the integrity of SJCOE and advance the goals of SJCOE's educational programs and contribute to a positive educational climate.

The Superintendent encourages SJCOE 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 should make a commitment to acquire the knowledge and skills necessary to fulfill their responsibilities and should focus on their contribution to the learning and achievement of SJCOE 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, threats of violence, or possession of a firearm or other weapon.
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 SJCOE or 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 SJCOE 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, SJCOE employees, or SJCOE operations to persons or entities not authorized to receive the information.
11. Using SJCOE equipment or other SJCOE resources for the employee's own commercial purposes or for political activities.
12. Using SJCOE equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity.
13. 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 SJCOE technological resources at any time without the employee's consent.
14. Causing damage to or engaging in theft of property belonging to students, staff, or the SJCOE.
15. 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 program administrator or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to SJCOE's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse and Neglect.

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.

Any employee who has knowledge but fails to report inappropriate conduct may also be subject

to discipline.

The SJCOE 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 the SJCOE's complaint process shall be subject to discipline.

Notifications

The section(s) of the SJCOE'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 SJCOE web sites.

cf: 0200 Goals of the County Office of Education
 0410 Nondiscrimination in Programs and Services
 1113 County Office of Education and School Websites
 4112.2 Certification
 4118 Classified Personnel: Disciplinary Action
 4119.1/4219.1/4319.1 Civil and Legal Rights
 4131/4231/4331 Staff Development
 4218 Certificated and Classified Personnel: Dismissal/Suspension/Disciplinary Action
 5131 Conduct
 5141.4 Child Abuse and Neglect (Reporting Procedures)
 6163.4 Student Use of Technology

Legal Reference:

EDUCATION CODE

200-262.4 Education equity; prohibition of discrimination on the basis of sex
44050 Employee code of conduct; interaction with students
44242.5 Reports and review of alleged misconduct
48980 Parent/Guardian notifications

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status; alleged misconduct
80331-80338 Rules of conduct for professional educators

Appendix K

INSTRUCTION

Parent Involvement

The San Joaquin County Office of Education (SJCOE) recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall consult with parents/guardians and family members to jointly develop and agree upon policy and strategies meaningfully involved parents/guardians and family members in SJCOE and school/program activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

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

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

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

Title I Schools

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

When the SJCOE's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Superintendent or designee shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined by 20 USC 6631. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the SJCOE's Title I funds will be allotted for parent/guardian and family engagement activities.

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

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

If the SJCOE also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV.

The SJCOE's Superintendents policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the SJCOE's LCAP in accordance with 20 USC 6312.

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

SJCOE and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format, to the extent practicable, provided in a language the parents/guardians can understand.

Non-Title I Schools

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

cf: 0420 School Plans/Site Councils
0460 Local Control and Accountability Plan
1220 Citizen Advisory Committees
1230 School-Connected Organizations
1240 Volunteer Assistance
1250 Visitors/Outsiders
3100 Budget
6171 Title 1 : Court and Community School/Day Center Programs

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6311 State plan

6312 Local educational agency plan

6314 Schoolwide programs

6318 Parent and family engagement

6631 Teacher and school leader incentive program, purposes and definitions

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

(10/17)