



san diego county office of
EDUCATION

FUTURE WITHOUT BOUNDARIESSM

Juvenile Court and Community Schools 2025-26

ANNUAL NOTIFICATION

*of the Rights and Responsibilities
of Parents/Guardians and Students*

KEY TO ACRONYMS

AR	Administrative Regulations
BP	Board Policy
BPC	California Business and Professions Code
CC	California Civil Code
CCR	California Code of Regulations
CDE	California Department of Education
CFR	Code of Federal Regulations
CIF	California Interscholastic Federation
COE	County Office of Education
EC	California Education Code
FERPA	Family Educational Rights and Privacy Act
FPM	Federal Monitoring Program
GC	California Government Code
HSC	California Health and Safety Code
IEP	Individualized Education Program
JCCS	Juvenile Court and Community Schools (JCCS)
LC	California Labor Code
LCAP	Local Control and Accountability Plan
OCR	Office for Civil Rights
PC	California Penal Code
SDCOE	San Diego County Office of Education (SDCOE)
USC	United States Code
VC	California Vehicle Code
WIC	California Welfare and Institutions Code

TABLE OF CONTENTS

Key to Acronyms2	Access to Student Mental Health Services25
Table of Contents3	Administration of Prescribed Medication.....26
Academic Program5	Concussion and Head Injuries26
Advanced Placement Exam Fees5	Consent to Physical Examination27
California Healthy Youth Act.....5	HPV Immunization27
California Proficiency Program5	Immunizations28
College Admission Requirements6	Medical or Hospital Services28
Course Prospectus6	Oral Health Assessment.....29
Course Selection and Career Counseling.....7	Prescription Opioids30
Dual Enrollment or IB Courses.....7	School Meals30
Exemption from Harmful or Destructive Use of Animals.....7	Sudden Cardiac Arrest30
Exemption from Health Instruction7	Type 1 Diabetes31
High School Graduation Requirements7	Type 2 Diabetes32
Participation in Statewide Assessments8	Water Consumption34
Screening for Reading Difficulties8	Parent and Family Engagement34
Student Financial Aid for College.....9	Investing for Higher Education.....34
Transfer of Coursework and Credits; Exemptions9	Parent and Family Engagement Policy34
English Learner Program10	Professional Qualifications35
Adivsory Committees10	Rights of Parents.....35
Identification and Assessments11	School Accountability Report Card36
Language Acquisition Program.....12	Student Wellness Policy.....36
Equity and Access12	Safety and Well-being37
Educational Equity: Immigration and Citizenship Status12	Asbestos Management Plan37
Married, Pregnant, and Parenting Students.....14	Child Abuse Prevention and Neglect Reporting ..37
Nondiscrimination in Programs and Activities15	Dangers of Synthetic Drugs.....37
Nondiscrimination in Child Nutrition Programs..16	Employee Interaction with Students38
Rights of Foster Youth16	Fingerprinting Program38
Rights of students experiencing homelessness17	Megan’s Law/Sex Offenders38
Safe Place to Learn Act.....18	Pesticide Products39
Section 50418	Safe Storage of Firearms39
Sexual Harassment.....19	School Attendance40
Special Education21	Absence due to Confidential Medical Services ...40
Student Fees.....21	Absence due to Religious Exercises or Instruction40
Title IX: Sex Equity in Education Act22	Addressing Absences40
Uniform Complaint Procedures23	Exclusion from School41
Williams Complaint25	Excused Absences.....41
Health and Wellness25	School Calendar.....42
	Students with Temporary Disabilities43
	School Enrollment and Options43

District of Choice.....	43	Cal Grant Program.....	50
Independent Study	44	California College Guidance Initiative	51
Student Behavior	45	Challenging Student Records	51
Assignments and Tests during Suspension	45	Directory Information.....	52
Discipline Rules.....	45	Duplication of Student Records.....	53
Grounds for Suspension and Expulsion.....	46	Maintenance of Student Records	53
Involvement of Law Enforcement	47	Protection of Pupil Rights Amendment	53
Property Loss or Damage.....	48	Student Records from Social Media	55
Suspension by Teacher from Class	48	Technology	55
Suspension from School	48	Electronic Listening and Recording Devices.....	55
Reporting Threats.....	49	Internet Safety.....	55
Student Records	49	Use of SDCOE Technology	56
Access by Military Recruiters.....	49	Use of Mobile Communication Devices.....	56
Access to Student Records.....	50		

ACADEMIC PROGRAM

ADVANCED PLACEMENT EXAM FEES

Reference: EC 48980, 52242

BP/AR: 6141.5 – Advanced Placement

Advanced placement (AP) courses provide rigorous academic coursework opportunities for high school students. The successful completion of AP courses and the subsequent AP examinations, which are conducted by the College Board and for which college credit is awarded, provide a cost-effective means for high school students to obtain college-level coursework experience.

Any economically disadvantaged student who is enrolled in an AP course may apply to the students school office to cover the costs of AP examination fees.

CALIFORNIA HEALTHY YOUTH ACT

Reference: EC 48980, 51938

BP/AR: 6142.1 – Sexual Health and HIV/AIDS Prevention Instruction

The California Healthy Youth Act requires schools to offer integrated, comprehensive, medically accurate, and unbiased sexual health and human immunodeficiency virus (HIV) prevention education at least once in middle school and once in high school. It is intended to ensure that students in grades 7-12 are provided with the knowledge and skills necessary to protect them from risks presented by HIV and other sexually transmitted infections, pregnancy, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. It also promotes students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, menstrual health, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

Parents have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education, or participate in research on student health behaviors and risks. When a parent does not permit their child to receive such education, the child may not be subject to disciplinary action, academic penalty, or other sanction.
3. Request a copy of EC 51930-51939, the California Healthy Youth Act.
4. Be informed whether comprehensive sexual health or HIV prevention education will be taught by SDCOE personnel or outside consultants. When SDCOE chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker
 - c. The right to receive a copy of EC 51933, 51934, and 51938

If arrangements for this instruction are made after the beginning of the school year, notice will be provided by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.

CALIFORNIA PROFICIENCY PROGRAM

Reference: 5 CCR 11523; EC 48412

BP/AR: 6146.2 – Certificate of Proficiency/High School Equivalency

The California Proficiency Program (CPP) utilizes the GED and HiSET subtests for language arts and mathematics to measure proficiency. Eligible students may take the CPP, which is offered in English and Spanish, with paper-pencil at a testing center or take it on a computer at a testing center or at home, online, with live proctoring.

HiSET is the first test in the CCP. Upon successfully passing each of the three subtests, eligible students will be awarded a California Certificate of Proficiency, which holds the same legal equivalent as a California-issued high

school diploma. After passing the CPP, the student may choose to remain in high school or exit with parent permission to begin attending higher education or start their career.

Once an individual has taken the CPP, passed both language arts and mathematics subtests, and exited high school, they may choose to take the remaining High School Equivalency (HSE) subtests for science and social studies to earn their California HSE Certificate, opening even more doors than the Certificate of Proficiency alone. The CPP is referred to as a program because it acts as a stepping stone for individuals that may choose to earn their HSE Certificate.

A person is eligible to take a CCP test if they are currently enrolled in high school and either:

- 16 years of age or older, or
- They have completed one year of enrollment in grade 10, or
- They will have completed one year of enrollment in grade 10 at the end of the semester during which the next exam is administered.

For more information, visit the CDE website at <https://www.cde.ca.gov/ta/tg/cp.asp>.

COLLEGE ADMISSION REQUIREMENTS

Reference: EC 48980, 51229

BP/AR: 6143 – Courses of Study

For students who wish to continue their education after high school, the State of California offers community colleges, California State Universities (CSU), and Universities of California (UC).

California community colleges are required to admit any California resident or nonresident possessing a high school diploma or the equivalent, or anyone over the age of 18 without a high school diploma or the equivalent who is capable of profiting from the instruction offered.

To qualify for admission into a UC/CSU school, a student must, at minimum, complete 15 college-preparatory courses (referred to as the “A-G” courses) with a letter grade of “C” or better. Students may also meet the A-G requirement by completing college courses or earning certain scores on various acceptable exams. Applicants must have graduated from high school and have received a high school diploma. Some schools have higher standards or additional admission criteria, such as a minimum grade point average (GPA). Students may also transfer to a CSU or UC after attending community college.

CaliforniaColleges.edu is California’s official college and career planning platform. It is a one-stop shop for all the tools students need to set goals for life after high school and make plans to achieve them. The platform also serves as a crucial component of the state’s new Cradle-to-Career (C2C) Data System tools for students and parents. The following websites also provide additional information and resources:

- <https://hs-articulation.ucop.edu/agcourselist> – allows search of high school courses that have been certified by the UC as satisfying the requirements for admission to the UC/CSU.
- www.cccco.edu – offers links to all the community colleges in California.
- www.assist.org – provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.
- <https://www2.calstate.edu/> – offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.
- www.universityofcalifornia.edu – offers information regarding admissions, online application, and links to all UC campuses.

Students will have the opportunity to meet with their assigned school counselor to get help with choosing courses that will meet college admission requirements and/or enroll in career technical education (CTE) courses. A CTE program of study involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. For more information about CTE visit: www.cde.ca.gov/ci/ct.

COURSE PROSPECTUS

Reference: EC 49063, 49091.14

BP/AR: 5125 – Student Records

At least once every year, SDCOE compiles a prospectus (or course catalog) that provides the curriculum, including titles, descriptions, and instructional aims of every course offered by its schools. To review the prospectus or to obtain a copy of it, please contact your school principal. The school may charge for the prospectus an amount not to exceed the cost of duplication.

COURSE SELECTION AND CAREER COUNSELING

Reference: EC 221.5

BP/AR: 6164.2 – Guidance/Counseling Services

A school counselor, teacher, instructor, administrator, or aide shall not offer vocational or school program guidance to a student or, in counseling a student, differentiate career, vocational, or higher education opportunities, on the basis of the student's sex. Any school personnel acting in a career counseling or course selection capacity to a student shall explore with the student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. Parents of students in grades 7-12 are encouraged to participate in such counseling sessions and decisions. Contact your school principal for details.

DUAL ENROLLMENT OR IB COURSES

Reference: EC 48980.6

BP/AR: 6141.4 – International Baccalaureate Program; 6143 – Courses of Study

All Juvenile Court and Community School sites offer dual enrollment. Please speak with your student's counselor to discuss eligibility requirements.

EXEMPTION FROM HARMFUL OR DESTRUCTIVE USE OF ANIMALS

Reference: EC 32255 *et seq.*

BP/AR: 5145.8 – Refusal to Harm or Destroy Animals

Any student with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, shall notify the teacher of the objection. Objections shall be substantiated by a note from the student's parent.

When a student chooses to refrain from participation in an educational project involving the harmful or destructive use of animals, the teacher may work with the student to develop and agree upon an alternate project, if such project is possible, so that the student may still obtain the knowledge, information, or experience required for the course. The alternative project shall require a comparable time and effort invested by the student – it shall not be more difficult than the original education project as a means to penalize the student. Students choosing an alternative educational project shall pass all exams for the course in order to receive credit; however, if the test requires the harmful or destructive use of animals, the student may, similarly, request an alternative test. No student shall be discriminated against based upon their decision to exercise these rights.

EXEMPTION FROM HEALTH INSTRUCTION

Reference: EC 51240

BP/AR: 6142.8 – Comprehensive Health Education

SDCOE is required to teach certain health-related topics. If any part of a school's instruction in health conflicts with the religious training and beliefs, including personal and moral convictions of the student's family, the student's parent may submit a written request to the principal or designee to excuse the student from that part of the instruction.

HIGH SCHOOL GRADUATION REQUIREMENTS

Reference: EC 48980, 51225.3

BP/AR: 6146.1 – High School Graduation Requirements; 6178 – Career Technical Education

Students should, upon graduation, have opportunities that prepare them for postsecondary education and career success. To that end, requirements have been designed to promote choices, whether career or academic, to give every student a springboard to a successful life. To obtain a diploma of graduation, students must complete the course of study prescribed by SDCOE at the high school where they are enrolled.

SDCOE offers career technical education (CTE) courses that are aligned to the CTE model curriculum standards and framework adopted by the State Board of Education in order to allow students an alternative means to meet one of the statewide course requirements. All CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law, and SDCOE shall ensure that lack of English language skills will not be a barrier to admission and participation in the SDCOE CTE program.

For more information about high school graduation requirements, including a list of CTE courses offered by SDCOE, and how each requirement satisfies or does not satisfy the subject matter requirements for admission into the CSU or UC schools, check the [UC Doorways](#) website.

PARTICIPATION IN STATEWIDE ASSESSMENTS

Reference: 5 CCR 852; EC 60615

BP/AR: 6162.51 – State Academic Achievement Tests

The California Assessment of Student Performance and Progress (CAASPP) is a system that includes a number of assessments that are administered each spring to students in specified grade levels. These tests were created specifically to gauge each student's performance and progress in English language arts, mathematics, and science. The assessments measure the skills called for by the standards, including the ability to write clearly, think critically and solve problems. CAASPP tests are given statewide and therefore provide an opportunity to measure the skills of all students against the same academic standards.

The CAASPP system consists of the following assessments:

- The Smarter Balanced summative assessments for English language arts and mathematics in grades 3-8 and 11.
- The California Science Tests (CAST) in grades 5, 8, and once in grades 10-12.
- The California Alternate Assessments (CAA) in English language arts, mathematics, and science, administered to students with significant cognitive disabilities who are unable to take the Smarter Balanced summative assessments and the CAST.

Parents may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the JCCS Senior Director. If a parent submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent and included in the student's records.

SCREENING FOR READING DIFFICULTIES

Reference: EC 53008

BP/AR: TBD

To ensure that all students learn to read by third grade, all students in kindergarten and grades 1 and 2 will be screened for risk of reading difficulties. Screenings are intended to be part of a comprehensive instructional strategy to inform instruction, measure progress, identify learning needs, and enable parents and staff to discuss learning in an informed way. Screening assessments will not be used for any high-stakes purpose (e.g., teacher or other school staff evaluation, accountability, student grade promotion or retention, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs). Rather, the screening results are to be used as a flag for potential risk of reading difficulties, not as a diagnosis of a disability – they are to be used as part of a broader process that further evaluates student needs and progress, identifies supports for classroom instruction, enables targeted individual intervention as needed, and allows the further diagnosis if concerns do not resolve.

If a student is identified as being at risk of having reading difficulties, SDCOE will provide the student with supports and services, appropriate to the specific challenges identified by the screening instrument and other pertinent

information about the student. Supports and services may include evidence-based literacy instruction focused on the student's specific needs, progress monitoring, early intervention in the regular general education program, one-on-one small group tutoring, and further evaluation or diagnostic assessment. For the 2025-2026 school year, students in kindergarten through grade 2 will be assessed within thirty days of enrollment.

STUDENT FINANCIAL AID FOR COLLEGE

Reference: EC 51225.7, 51225.8

BP/AR: 6143 – Course of Study

Filing financial aid applications is the first step toward college success and helps eligible students qualify for federal, state, and campus-based aid as well as some private scholarships. Under state law, schools are to ensure that students, prior to entering 12th grade, receive information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the California Dream Act application (CADAA) to help determine a student's eligibility for financial aid. This information will be provided in a timely manner as financial aid is awarded in order of submission according to deadlines, on a first-come, first-served basis.

Specifically, SDCOE will advise each 11th grade student to complete the grade 11 financial aid lessons on the CaliforniaColleges.edu platform that will include, but not necessarily be limited to, material related to all of the following:

1. Types of documentation and personal information required
2. Explanation of definitions used in the application
3. Eligibility requirements for student financial aid
4. Application timelines and submission deadlines
5. Importance of submitting applications early

SDCOE will ensure that each 12th grade student completes and submits a FAFSA or CADAA to the California Student Aid Commission (CSAC). Students should only complete one of the applications based on their citizenship and residency status. All personal information, including immigration status, of students and their families will be protected according to state and federal privacy laws and regulations.

The parent or student, if 18 years of age or older, may opt out of the requirement by filling out and submitting an opt-out form. If SDCOE determines that a student is unable to comply with the requirement, SDCOE will exempt the parent or student and complete and submit an opt-out form on the student's behalf. As such, a student who does not complete an application or submit an opt out form will not be penalized or punished, and it will not affect the student's ability to graduate.

TRANSFER OF COURSEWORK AND CREDITS; EXEMPTIONS

Reference: EC 48645.5, 48645.7, 49069.5, 51225.1, 51225.2, 51225.31

BP/AR: 6146.1 – High School Graduation Requirements; 6173 – Education for Homeless Children; 6173.1 – Education for Foster Youth; 6173.2 – Education of Children of Military Families; 6173.3 – Education for Juvenile Court School Students; 6175 – Migrant Education Program

For the purpose of this notification an "eligible student" is a foster youth, student experiencing homelessness, current or former juvenile court school student, child of a military family, migrant student, or newcomer student.

Coursework and Credits

Eligible students transferring out of a school shall receive an official transcript which reflects full and partial credits and grades earned by the student, including:

1. A determination of the days of enrollment and/or seat time, if applicable, for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed
2. Separate listings for credits and grades earned at each school attended so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment.

If the new school has knowledge that the transcript from the transferring school may not include certain credits or grades, the new school shall contact the prior school within two business days to request that the full or partial credits be issued. The prior school shall then issue appropriate credits and provide all academic and other records to the new school within two business days of the request.

Schools shall accept and issue full credit for any coursework that an eligible student has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. Schools shall not require an eligible student to retake any course that the student has already satisfactorily completed or to retake the portion of a course that the student partially completed unless the school, in consultation with the student's education rights holder, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the eligible student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

An eligible student shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California systems.

Exemption from Board-adopted Coursework

In order to graduate from high school, all students must complete the graduation course requirements that are specified in EC 51225.3 ("statewide course requirements"), as well as any other course requirements adopted by the Board ("Board-adopted coursework"). An eligible student who transfers into SDCOE or between schools any time after completing the second year of high school, or newcomer student who is in the third or fourth year of high school shall be exempted from any Board-adopted coursework that are in addition to statewide course requirements, unless it has been determined that the student is reasonably able to complete the additional requirements in time to graduate by the end of the fourth year of high school. If not exempted, the student shall be reevaluated for eligibility the following academic year based on the student's course completion status at that time.

Eligible students shall receive notification of the availability of the exemption and whether they qualify for it. If an eligible student was not properly notified of an exemption, declined the exemption, or was not previously exempted, the student or educational rights holder may request the exemption and the student shall be exempt. Any such student who at one time qualified for the exemption may request the exemption even if the student is no longer eligible.

An eligible student also has the right to remain for a fifth year to complete either the statewide course requirements or SDCOE graduation requirements.

Any complaint that SDCOE has not complied with requirements, as specified in EC 48645.5 and 48645.7, may be filed in accordance with SDCOE's Uniform Complaint Procedures.

Additionally, for a student with a disability, eligibility for an exemption from Board-adopted coursework requires that the student's IEP provides all of the following:

1. The student's IEP team has deemed the student eligible to take the state alternate assessment as described in EC 60640(k).
2. The student is required to complete state standards aligned coursework to meet the statewide course requirements specified in EC 51225.3.

ENGLISH LEARNER PROGRAM

ADVISORY COMMITTEES

Reference: 5 CCR 11308; EC 52063, 52174, 52176

BP/AR: 6174 – Education for English Learners

English Learner Advisory Committee

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents of English learners, elected by parents of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of

students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership.

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents aware of the importance of regular school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration of inclusion in the School Plan for Student Achievement.

Where applicable, the ELAC shall have the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC).

District English Learner Advisory Committee

When the District has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents of English learners who are not employed by the District. Alternatively, the District may use a subcommittee of an existing districtwide advisory committee on which parents of English learners have membership in at least the same percentage as English learners represent of the total number of students in the District.

The DELAC shall advise the Governing Board on at least the following tasks:

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site master plans.
2. Conducting a districtwide needs assessment on a school-by-school basis.
3. Establishing a district program, goals, and objectives for programs and services for English learners.
4. Developing a plan to ensure compliance with applicable teacher and/or teacher aide requirements.
5. Administering the annual language census.
6. Reviewing and commenting on the District's reclassification procedures.
7. Reviewing and commenting on the required written parental notifications.
8. Reviewing and commenting on the development or annual update of the LCAP if the DELAC acts as the ELAC pursuant to EC 52063 and 52062.

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that DELAC and ELAC committee members receive appropriate training and materials. This training shall be planned in full consultation with the members.

IDENTIFICATION AND ASSESSMENTS

Reference: 5 CCR 11307, 11518.5; EC 52164.1

BP/AR: 6174 – Education for English Learners

Upon initial enrollment in school, each student's primary language shall be determined through the use of a home language survey. Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the Initial English Language Proficiency Assessments for California (ELPAC). For students who are identified as having a primary language other than English while enrolled in transitional kindergarten, the Initial ELPAC shall be administered to those students in kindergarten. The parents of such students shall be notified in writing prior to the administration of the ELPAC.

Administration of the Initial ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.37. Any student with a disability shall take the assessment with the supports and accommodations delineated in the student's IEP or Section 504 plan. If the student is unable to participate in the assessment or a portion of the assessment even with appropriate accommodations, an alternative assessment for English language proficiency shall be administered.

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the Summative ELPAC shall be administered to the student during a four-month period after January 1 as determined by the CDE.

The following are CDE's parent guides:

- *Understanding the ELPAC* – <https://www.cde.ca.gov/ta/tg/ca/documents/elpacpgtu.pdf>
- *Understanding the Alternate ELPAC* – <https://www.cde.ca.gov/ta/tg/ep/documents/altelpacpgtu.pdf>

LANGUAGE ACQUISITION PROGRAM

Reference: 20 USC 6312; 5 CCR 11309, 11310; EC 310

BP/AR: 6142.2 – World Language Instruction; 6174 – Education for English Learners

Language acquisition programs are educational programs designed to ensure English acquisition as rapidly and as effectively as possible, and that provide instruction to students on the state-adopted academic content standards, including the English language development (ELD) standards. SDCOE offers the following research-based language acquisition programs that lead to grade level proficiency and academic achievement in both English and another language:

Parent Request of Establishment of a Language Acquisition Program

Parents of enrolled students, and those enrolled for attendance in the next school year, may submit a request that SDCOE establish a specific language acquisition program. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

For additional questions regarding language acquisition programs and how to request for the establishment of a program, please contact Dyane Plumly at 858-290-5861.

Timelines and Implementation Process

The timeline begins when the threshold number of requests for the same or substantially similar type of language acquisition program is reached (30 or more students enrolled in a school, or 20 or more students in the same grade level). Within 10 school days of reaching the threshold, SDCOE will provide written notification of the requests for a language acquisition program to parents of students attending the school, the school's teachers and administrators, and the JCCS SDCOE English learner advisory committees and parent advisory committee. Within 60 calendar days of reaching the threshold, a study will be conducted to determine if the language acquisition program can be implemented and written notice of the determination will be provided to parents of students attending the school and the school's teachers and administrators. Each school will follow the process set forth above, even when SDCOE provides the requested language acquisition program at another SDCOE school at the time the threshold of parent requests is met.

Sufficient Resources

To effectively implement a language acquisition program, SDCOE will allocate enough resources to support the success of the program in attaining its articulated goals. Sufficient resources include, but are not limited to certificated teachers with the appropriate authorizations, necessary instructional resources pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals.

EQUITY AND ACCESS

EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS

Reference: EC 234.7

BP/AR: 0410 – Nondiscrimination in District Programs and Activities; 5145.13 – Response to Immigration Enforcement

All students have the right to a free public education regardless of their immigration status or religious beliefs. Consistent with state and federal laws and the requirements of the California Office of the Attorney General, SDCOE:

1. Prohibits unlawful discrimination, harassment, intimidation, and bullying in SDCOE's programs and activities on the basis of a student's citizenship or immigration status.

2. Resolves and investigates allegations of unlawful discrimination, harassment, intimidation, and bullying in accordance with its Uniform Complaint Procedures.
3. Prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members unless required to administer a state or federal program.
4. Ensures resources and data collected by SDCOE shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination.
5. Reports to the Governing Board in a timely manner any requests to gain information or access to a school site by an officer or employee of a law enforcement agency for immigration enforcement purposes.
6. Only contacts child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

The following "know your rights" information regarding immigration-enforcement actions is provided by the California Attorney General.

Know Your Educational Rights

Your child has the right to a free public education

- All children have a right to equal access to free public education, regardless of their or their parents' immigration status.
- All children in California:
 - Have the right to a free public education.
 - Must be enrolled in school if they are between 6 and 18 years old.
 - Have the right to attend safe, secure, and peaceful schools.
 - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

Information required for school enrollment

- Schools must accept a variety of documents from the student's parent to demonstrate proof of child's age or residency.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

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 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 so, SDCOE must provide parents with written notice of the directory information policy and provide the option to refuse release of your child's information.

Family safety plans if you are detained or deported

- You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give 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 SDCOE if they are discriminated against, harassed, intimidated or bullied because of their actual or perceived nationality, ethnicity, or immigration status.

Checklist for Immigrant Students and Families Attending Public Schools

You do not have to share the following information with school officials:

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
 - When completing the "Free and Reduced-Price Meals" form, only provide the last four digits of the SSN of the adult household member who signs the application.

- If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
- If any household member participates in CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of their SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student’s residency or age, you do not have to use documents that could reveal information related to immigration status.

Take steps to protect student information:

- Ask for the school’s written privacy policies regarding student information.
- Review the school’s policy for “directory information”—which allows for public release of basic student information—and consider whether to opt out of releasing of that information.

Take steps to prepare for situations where one or more parents or guardians are detained or deported:

- Develop and keep in a safe place a “Family Safety Plan” that includes the following information:
 - Name of a trusted adult to care for your child if no parent or guardian can.
 - Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.).
 - <https://www.globalrefugee.org/blog/resources/> (example plan)
- Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent is available.

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, (800) 952-5225, BCJ@doj.ca.gov, <https://oag.ca.gov/bcj/complaint>.

MARRIED, PREGNANT, AND PARENTING STUDENTS

Reference: 34 CFR 106.40; EC 221.51, 222, 222.5, 46015, 48205, 48980

BP/AR: 5146 – Married/Pregnant/Parenting Students

The responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student’s education, placing them at higher risk of dropping out of school. SDCOE supports married, pregnant, and parenting students to continue their education by providing them with the opportunity to succeed academically while protecting their health and the health of their children in the following ways:

1. SDCOE shall not adopt any rule concerning a student’s actual or potential parental, family, or marital status that treats students differently on the basis of sex.
2. SDCOE shall not exclude or deny any student from an educational program or activity, including any class or extracurricular activity, solely on the basis of the student’s pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery; SDCOE shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery in the same manner and under the same policies as any other temporary disabling condition.
3. SDCOE may require a pregnant or parenting student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to participate, or continue to participate, in the regular education program or activity.
4. Pregnant and parenting students shall not be required to participate in a pregnant minor program or alternative education program; students who voluntarily participate in an alternative education program shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
5. SDCOE shall provide reasonable accommodations to a lactating student on the school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. The student shall not be penalized academically and shall be provided with the opportunity to make up any work missed as a result of the student’s use of the reasonable accommodations during the school day. Reasonable accommodations include, but are not limited to:
 - a. Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.

- b. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
 - c. Access to a power source for a breast pump or any other equipment used to express breast milk.
 - d. Access to a place to store expressed breast milk safely.
 - e. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child.
6. A pregnant or parenting student shall be excused from school when the absence is due to the illness or medical appointment of the student's child, including absences to care for a sick child, for which the school shall not require a note from a doctor.
7. During the school year in which the birth of the student's infant takes place, a pregnant or parenting student is entitled to eight weeks of parental leave, which the student may take before childbirth if there is a medical necessity and after childbirth to care for and bond with the infant. If deemed medically necessary by the student's physician, parental leave may be extended beyond eight weeks. Specific to parental leave:
- a. No student shall be required to take all or part of parental leave.
 - b. SDCOE's Supervisor of Attendance shall ensure that absences from school, as a result of parental leave, are excused until the student is able to return to the regular school program or an alternative education program.
 - c. Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses.
 - d. The pregnant or parenting student may return to the school and the course of study in which the student was enrolled before taking parental leave. A student who chooses not to return to the school in which the student was enrolled before taking the leave is entitled to alternative education options offered by SDCOE.
 - e. When necessary to complete the district-established high school graduation requirements, a pregnant or parenting student may remain enrolled in school for a fifth year of instruction, unless it has been determined that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school.

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, district noncompliance with the requirements related to parental leave, or district noncompliance with the requirement to provide reasonable accommodations for lactating students shall be addressed through the Uniform Complaint Procedures.

NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES

Reference: 5 CCR 4900 *et seq.*; EC 200 *et seq.*

BP/AR: 0410 – Nondiscrimination in District Programs and Activities

SDCOE is committed to providing equal opportunity for all individuals in its programs and activities. SDCOE programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, political affiliations, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

All individuals shall be treated equitably in the receipt of district and school services. SDCOE assures that lack of English language skills shall not be a barrier to admission or participation in district programs. When 15 percent or more of a school's students speak a single primary language other than English, all notices, reports, statements, or records sent to parents by the school shall be translated into that other language; parents may respond in English or the primary language.

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. The JCCS Senior Director shall ensure that the District provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may

include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the JCCS Senior Director or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved through the Uniform Complaint Procedures.

NONDISCRIMINATION IN CHILD NUTRITION PROGRAMS

Reference: U.S. Department of Agriculture (USDA) Food and Nutrition (FNS) Instructions 113-1

BP/AR: 3555 – Nutrition Program Compliance

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a [Form AD-3027](#), USDA Program Discrimination Complaint Form which can be obtained online, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **Mail:** U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; or
2. **Fax:** (833) 256-1665 or (202) 690-7442; or
3. **Email:** Program.Intake@usda.gov

This institution is an equal opportunity provider.

RIGHTS OF FOSTER YOUTH

Reference: EC 48853.5

BP/AR: 6173.1 – Education for Foster Youth

A foster child means any of the following:

1. A child who has been removed from their home pursuant to WIC 309.
2. A child who is the subject of a petition filed under WIC 300 or 602, whether or not the child has been removed from their home.
3. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.
4. A child who is the subject of a voluntary placement agreement, as defined in WIC 11400(p).

The following is a brief summary of a foster youth's rights:

1. Right to attend either the "school of origin" or the current school of residence. The school of origin can be the school attended when the student first entered foster care, the school most recently attended, or any school the foster youth attended in the last 15 months. If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute.
2. Right to immediate enrollment even if the foster youth is unable to produce records normally required for enrollment (e.g., proof of residency, birth certificate, immunization, transcript), does not have clothing normally

required by the school (*e.g.*, school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.

3. Right to have the foster youth's educational rights holder, attorney, and county social worker notified when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination review for a foster youth who is a student with a disability, prior to a change in the foster youth's placement.
4. Right of the foster youth not to have grades lowered for any absence from school that is due to a verified court appearance or related court-ordered activity, or to a decision by a court or placement agency to change the student's placement, in which case, the grades must be calculated as of the date the student left school.
5. Right to have full and partial credits earned to be issued and accepted.
6. Right to priority access to an intersession program. If the foster youth moves during the intersession period, the foster youth's educational rights holder shall determine which intersession program to attend.
7. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that SDCOE has not complied with requirements regarding the education of foster youth.

To review the standardized notice of foster youth rights, visit <https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>. For assistance, contact SDCOE's foster youth liaison Stephanie Johnston-Austin 619-990-4853 sjohnston@sdcoe.net.

RIGHTS OF STUDENTS EXPERIENCING HOMELESSNESS

Reference: 42 USC 11432; EC 48852.5

BP/AR: 6173 – Education for Homeless Children

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all school-aged children experiencing homelessness to the same free and appropriate public education that is provided to non-homeless students. A student experiencing homelessness is defined as a child who lacks a fixed, regular, and adequate nighttime residence and includes children and youth who: are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; may be living in motels, hotels, trailer parkers, or shelters; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces abandoned buildings, substandard housing, bus or train stations, or similar settings; or are migratory children who qualify as homeless because of similar living circumstances. To ensure that each school identifies all student experiencing homelessness and unaccompanied youths enrolled at the school, a housing questionnaire is administered at least once a year. The questionnaire can be made available in the primary language of the student's parent or unaccompanied youth upon request.

The following is a brief summary of the rights of students experiencing homelessness:

1. Right to attend either the "school of origin" or the current school of residence, and not be required to attend a separate school for homeless children or youth. The school of origin can be the school attended when the student had permanent housing, the school most recently attended, or any school the student attended in the last 15 months. Transportation may be provided.
2. Right to immediate enrollment even if the student is unable to produce records normally required for enrollment (*e.g.*, proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (*e.g.*, school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to automatically qualify for child nutrition programs.
4. Right to have full and partial credits earned to be issued and accepted.
5. Right to priority access to an intersession program. If the student moves during the intersession period, the homeless youth's educational rights holder shall determine which intersession program to attend.
6. Right to not be stigmatized by school personnel.
7. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that SDCOE has not complied with requirements regarding the education of students experiencing homelessness.

Unaccompanied youth who meet the definition of homeless youth are also eligible for rights and services under the McKinney-Vento Act. An unaccompanied youth is defined as a minor who is not in the physical custody of a parent.

SDCOE homeless youth liaison is Stephanie Johnston-Austin and can be reached at 619-990-4853 sjohnston@sdcoe.net. Notice of the educational rights of students experiencing homelessness and resources available to persons experiencing homelessness are posted on the SDCOE website.

SAFE PLACE TO LEARN ACT

Reference: EC 234.1

BP/AR: 5131.2 – Bullying; 5145.3 – Nondiscrimination/Harassment

SDCOE is committed to providing a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in SDCOE’s academic, extracurricular, and other educational support programs, services, and activities. As such, it prohibits unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student’s actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts constituting discrimination, harassment, intimidation, and bullying related to school activity or school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

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

Students who feel that they have been subjected to unlawful discrimination described above, or who observe any such incident, are strongly encouraged to immediately contact the UCP compliance officer, principal, or any other staff member. In addition, students and parents may request to meet with the UCP compliance officer to determine how best to accommodate or resolve concerns that may arise from SDCOE’s implementation of its nondiscrimination policies. To the extent possible, SDCOE will address any individual student’s interests and concerns in private.

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

For a list of statewide resources, including community-based organizations, that provide support to youth, and their families, who have been subjected to school-based discrimination, harassment, intimidation, or bullying, please visit the following CDE webpage: <https://www.cde.ca.gov/ls/ss/se/bullyingprev.asp>.

SECTION 504

Reference: 34 CFR 104.32

BP/AR: 6164.6 – Identification and Education Under Section 504

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. SDCOE provides a free and appropriate public education (FAPE) to all students regardless of the nature or severity of their disability. In addition, qualified students with disabilities are provided an equal opportunity to participate in programs and activities that are integral components of SDCOE’s basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities.

To qualify for Section 504 protections, the student must have a mental or physical impairment which substantially limits one or more major life activity. For the purpose of implementing Section 504, the following terms and phrases are defined below:

1. *Physical impairment* means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory

(including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine.

2. *Mental impairment* means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.
3. *Substantially limits major life activities* means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also include *major bodily functions* such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system.

SDCOE has a responsibility to identify, evaluate, and if eligible, provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. Additionally, a parent, teacher, other school employee, student success team, or community agency may refer a student to the principal or Section 504 Coordinator for consideration as a student with a disability under Section 504. If, upon evaluation, a student is determined to be a student with a disability who is eligible for regular or special education and related aids or services, the team will develop a written Section 504 Service Plan specifying the accommodations and supplementary aids and services necessary to ensure that the student receives FAPE.

For additional information about the rights of parents of eligible students, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the JCCS Community School Assistant Principal at 858-298-2146 .

SEXUAL HARASSMENT

Reference: 34 CFR 106.8; 5 CCR 4917; EC 231.5, 48900.2, 48980

BP/AR: 5145.7 – Sex Discrimination and Sex-based Harassment; 5145.71 – Title IX Sex Discrimination and Sex-based Harassment Complaint Procedures

SDCOE is committed to maintaining a safe school environment that is free from harassment and discrimination. Sexual harassment of students at school or at school-sponsored or school-related activities is prohibited. Retaliatory behavior or action against any person who reports, files a complaint, or testifies about, or otherwise supports a complainant in alleging sexual harassment is also prohibited. Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity will be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) will be taken into account. Any employee found to have engaged in sexual harassment or sexual violence toward any student will be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

The following individual has been designated as SDCOE's Title IX Coordinator: Josue Diaz, Jr. 858-295-8803 josue.diaz@sdcoe.net. The Title IX Coordinator is responsible for coordinating SDCOE's efforts to comply with Title IX sexual harassment complaint procedures, as well as to oversee, investigate, and/or resolve sexual harassment complaints processed under the Uniform Complaint Procedures.

Instructional Program

As a preventative measure, students will receive age-appropriate instruction and information on sexual harassment, including:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance.
3. Encouragement to report observed instances of sexual harassment even when the victim of the harassment has not complained.
4. A clear message that student safety is SDCOE's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal

filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, will be investigated and action will be taken to respond to harassment, prevent recurrence, and address any continuing effect on students.

6. Information about SDCOE's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
7. Information about the rights of students and parents to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while SDCOE investigation of a sexual harassment complaint continues.
8. A clear message that, when needed, SDCOE will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation.

Defining Sexual Harassment

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

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

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

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

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to SDCOE's education program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

Examples of Sexual Harassment

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

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

Reporting and Investigating Allegations of Sexual Harassment

Students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student, an employee, or a third party or who have experienced off-campus sexual harassment that has a continuing effect on campus are strongly encouraged to report the incident to their teacher, the principal, SDCOE's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment must notify the Title IX Coordinator within one school day. The report must be made whether the alleged victim files a formal complaint or requests confidentiality.

Once notified, the Title IX Coordinator will determine whether the complaint or allegation is to be addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1323.3 – Uniform Complaint Procedures. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator will ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3. The Title IX Coordinator will offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances. If, upon the conclusion of an investigation, sexual harassment is determined to have occurred, the Title IX Coordinator, or designee in consultation with the Coordinator, will take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

Records of all reported cases of sexual harassment are maintained in accordance with law and SDCOE's policies and regulations to enable SDCOE to monitor, address and prevent repetitive harassing behavior in its schools.

To review the full text of SDCOE's board policy and administrative regulation on sexual harassment, please go to <https://www.sdcoe.net/bullying-and-harassment-prevention>. A copy of the written policy on sexual harassment is included in school and district publications and posted in the main administrative offices and other areas where rules, regulations, procedures, and standards of conduct are provided. Additionally, each school site serving students in grades 9 through 12 has the written policy posted in each bathroom and locker room. A copy of the policy, as it pertains to students, is provided as part of any orientation program conducted for new and continuing students. Staff members also receive a copy of the policy at the beginning of the school year or at the time of hire.

SPECIAL EDUCATION

Reference: EC 56301

BP/AR: 6164.4 – Identification and Evaluation of Individuals for Special Education

SDCOE is dedicated to identifying, locating, and assessing all students within SDCOE from birth to 21 years of age who may have disabilities, and providing appropriate support and/or related services to those students determined by an educational evaluation. Additionally, a parent, teachers, and appropriate professionals may refer a student who is believed to have a disabling condition that may require special education programs or services by contacting Cara Schukoske, Executive Director for Special Education, cara.schukoske@sdcoe.net 858-290-5966.

The Individuals with Disabilities Education Act (IDEA) defines “children with disabilities” to mean children with intellectual disabilities, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities, and who by reason thereof, need special education and related services.

SDCOE is committed to providing eligible students with disabilities a free and appropriate public education consistent with federal and state laws, including those students enrolled in private schools and those who are experiencing homelessness, are wards of the state, and are highly mobile students with exceptional needs,

Services are provided based on the individual needs of the student. After a team, comprised of educational professionals and the parent(s), determines a student's unique needs and considers a variety of factors, an individual education program (IEP) is created. An IEP is a legal document that describes how SDCOE provides services to a student with exceptional needs.

STUDENT FEES

Reference: 5 CCR 4622; EC 49013

BP/AR: 0460 – Local Control and Accountability Plan; 1312.3 – Uniform Complaint Procedures; 3260 – Fees and Charges

Students shall not be required to pay a fee, deposit, or other charge for participation in an educational activity which constitutes an integral fundamental part of SDCOE’s educational program, including curricular and extracurricular activities. SDCOE shall ensure that books, materials, equipment, supplies, and other resources necessary for student participation in SDCOE’s educational program are made available to students at no cost.

As necessary, the Governing Board may approve and impose fees, deposits and other charges which are specifically authorized by law. In determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of students’ families and their ability to pay.

SDCOE, its schools, and programs may solicit voluntary donations or participate in fundraising activities. However, no course credit or privileges related to educational activities shall be offered or awarded to a student in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. SDCOE also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

Any complaints of unlawful imposition of fees, deposits, or other charges will be investigated and resolved through the Uniform Complaint Procedures. If, upon investigation, SDCOE finds merit in the complaint, the **Superintendent or designee** will recommend, and the Board will adopt, an appropriate remedy to be provided to all affected students and parents in accordance with 5 CCR 4600.

TITLE IX: SEX EQUITY IN EDUCATION ACT

Reference: 34 CFR 106.8; EC 221.61, 221.8

BP/AR: 5145.7 – Sex Discrimination and Sex-based Harassment; 5145.71 – Title IX Sex Discrimination and Sex-based Harassment Complaint Procedures

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including sexual harassment. California law further provides that all students (as well as other persons) are protected by Title IX – regardless of their sex, gender, gender expression, gender identity, sexual orientation, disability, race, or national origin – in all aspects of SDCOE’s educational programs and activities. It also provides that students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. The essence of Title IX is to ensure that students (as well as other persons) are not excluded, separated, denied benefits to, or otherwise treated differently on the basis of sex unless expressly authorized to do so under state or federal law in areas including, but not limited to: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment.

Under Title IX, students have the right to:

1. Fair and equitable treatment that is free from discrimination based on sex.
2. Be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. Inquire of the school’s athletic director as to the athletic opportunities offered by the school.
4. Apply for athletic scholarships.
5. Receive equitable treatment and benefits in the provision of all the following: equipment and supplies; scheduling of games and practices; transportation and daily allowances; access to tutoring; coaching; locker rooms; practice and competitive facilities; medical and training facilities and services; and publicity.
6. Access to a gender equity coordinator to answer questions regarding gender equity laws.
7. Contact the California Department of Education (CDE) and the California Interscholastic Federation (CIF) to access information on gender equity laws.

8. File a confidential discrimination complaint with the United States Office of Civil Rights (OCR) or CDE if there is belief that discrimination, or unequal treatment, on the basis of sex has occurred.
9. Pursue civil remedies as a result of discrimination.
10. Be protected against retaliation for filing a discrimination complaint.

SDCOE has designated the following personnel to address questions and complaints regarding its nondiscrimination policies specific to Title IX: Josue Diaz, Jr. 858-295-8803 josue.diaz@sdcoe.net. Any complaint alleging noncompliance with Title IX will be investigated and resolved through the Uniform Complaint Procedures. For more information regarding Title IX, please visit www.sdcoe.net. Additional resources can be found at:

United States Department of Education, Office for Civil Rights

Lyndon Baines Johnson Department of Education Building

400 Maryland Avenue, SW

Washington, DC 20202-1100

Telephone: (800) 421-3481

Fax: (202) 453-6012

TDD: (800) 877-8339

Email: OCR@ed.gov

OCR Complaint Form: <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

California Department of Education

Office of Equal Opportunity

1430 N Street, Room 4206

Sacramento, CA 95814

Telephone: (916) 445-9174

Fax: (916) 324-9818

Email: oeoinfo@cde.ca.gov

Complaint Procedures: <https://www.cde.ca.gov/re/di/eo/complaint.asp>

California Interscholastic Federation

4658 Duckhorn Drive

Sacramento, CA 95834

Telephone: (916) 239-4477

Fax (916) 239-4478

Website on Equity: <https://www.cifstate.org/governance/equity/index>

UNIFORM COMPLAINT PROCEDURES

Reference: 5 CCR 4600-4670; EC 33315

BP/AR: 1312.3 – Uniform Complaint Procedures

SDCOE has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, including those related to unlawful discrimination, harassment, intimidation, or bullying against any protected group, and all programs and activities that are subject to the Uniform Complaint Procedures (UCP). The UCP shall be used to investigate and resolve complaints regarding the following programs and activities:

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under EC 200 and 220 and GC 11135, including any actual or perceived characteristic as set forth in PC 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, in any program or activity conducted by an educational institution, as defined in EC 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance

- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and newcomer pupils
- Every Student Succeeds Act
- Instructional Materials and Curriculum: Diversity
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School site Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing
- Student Fees
- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

Filing a UCP Complaint

A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by SDCOE.

A student enrolled in any public school shall not be required to pay a student fee for participation in an educational activity. A student fee complaint may be filed with the principal or the Superintendent or designee.

A student fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

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

Copies of the UCP process are available free of charge. To obtain a copy of the complaint form and review additional UCP-related information, go to www.sdoce.net.

Compliance Officer

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints: Josue Diaz, Jr. 858-295-8803 josue.diaz@sdoce.net. The compliance officer is knowledgeable about the laws and programs that they are assigned to investigate.

Notification

SDCOE's UCP policy and regulations are posted in all schools and offices, including staff lounges and student government meeting rooms. Written notification of SDCOE's UCP is provided annually to students and their parents, employees, SDCOE and school advisory committee members, appropriate private school officials, and other interested parties.

SDCOE also posts the standardized notice of the educational rights of foster youth, homeless students, former juvenile court students now enrolled in SDCOE, children of military families, migrant students, and newcomer students, as specified in EC 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process on its website.

SDCOE has a notice posted to identify appropriate subjects of state preschool health and safety issues in each California state preschool program classroom in each school notifying parents, guardians, students, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to HSC 1596.7925, and (2) the location at which to obtain a form to file a complaint.

Appeal

A complainant may appeal SDCOE's investigation report to the CDE by filing a written appeal within 30 calendar days after receiving SDCOE's decision. The appeal must be accompanied by a copy of the originally filed complaint and a copy of the investigation report for that complaint. A complainant may also pursue civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

WILLIAMS COMPLAINT

Reference: 5 CCR 4680-4687; EC 35186

BP/AR: 1312.4 – Williams Uniform Complaint Procedures

There should be sufficient textbooks and instructional materials that are in good and usable condition. That means each student, including an English learner, must have a textbook and/or instructional materials to use in class and to take home.

School facilities must be clean, safe, and maintained in good repair so as not to pose an emergency or urgent threat to the health or safety of students or staff.

There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and 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.

- *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.
- *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.

A complaint alleging that any of the above conditions is not being met shall be addressed through SDCOE's Williams uniform complaint procedures as required by law. Although complainants do not need to use SDCOE's complaint form to file a complaint, the complaint form may be obtained at www.sdoce.net. Because a complaint may be filed anonymously, the complaint form shall allow the complainant to indicate whether a response is requested – only a complainant who identifies themselves is entitled to a response. A complaint shall be filed with the principal or designee.

HEALTH AND WELLNESS

ACCESS TO STUDENT MENTAL HEALTH SERVICES

Reference: EC 49428

BP/AR: 5141.5 – Mental Health

A child's mental health is essential to their social and cognitive development, and to learning healthy social skills and how to cope when there are problems. Mentally healthy children have a positive quality of life and can function well at home, in school, and in their communities. Mental health problems that are not recognized and treated in childhood can lead to severe consequences, including exhibiting serious behavior problems, at higher risk of dropping out of school, and increased risk of engaging in substance abuse, criminal behavior, and other risk-taking behaviors. As such, SDCOE is committed to promoting the well-being of its students by ensuring that, at least twice a year,

students and parents are each provided with information on how to initiate access to available student mental health services at school and/or in the community.

Student mental health services can be accessed by contacting your student's principal, counselor, or teacher.

ADMINISTRATION OF PRESCRIBED MEDICATION

Reference: EC 48980, 49423, 49423.1, 49480

BP/AR: 5141.21 – Administering Medication and Monitoring Health Conditions

The parent of a student on a continuing medication regimen for a nonepisodic condition, shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the student's parent, the school nurse may communicate with the physician and may counsel school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

The school nurse or other designated school employees may assist students who need to take prescribed medication during school hours only upon written request of both the physician/surgeon and the parent. The written request from the physician/surgeon shall include details as to the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent indicating the desire that SDCOE assist the student in matters set forth in the statement of the physician/surgeon.

In order for a student to carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication at school, the parent must provide a written statement consenting to the self-administration and a written statement from the physician/surgeon or physician assistant detailing the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine or inhaled asthma medication. The parent's written statement must provide a release for the school nurse or other designated school personnel to consult with the student's health care provider regarding any questions that may arise with regard to the medication and must release SDCOE and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. A student may be subject to disciplinary action if the student uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed.

All written requests shall be provided on an annual basis or when the medication, dosage, frequency of administration, or reason for administration changes. For requests regarding inhaled asthma medication, SDCOE will also accept the written statement from a physician/surgeon who is contracted with a prepaid health plan operating lawfully under the laws of Mexico that is licensed as a health care service plan in California as long as the statement is provided in both English and Spanish and includes the name and contact information of the physician/surgeon.

CONCUSSION AND HEAD INJURIES

Reference: EC 49475

BP/AR: 6145.2 – Athletic Competition

A concussion is a kind of brain injury. It can be caused by a bump or hit to the head, or by a blow to another part of the body with the force that shakes the head. Concussions can appear in any sport and can look differently in each person. Most concussions get better with rest and over 90% of athletes fully recover. However, all concussions should be considered serious. If not recognized and managed the right way, they may result in problems including brain damage and even death.

Most concussions occur without being knocked out. Signs and symptoms of concussion may show up right after the injury or can take hours to appear. Even though a traditional brain scan (*e.g.*, MRI or CT) may be "normal", the brain has still been injured. If an athlete suffers another concussion before completely recovering from the first one, this can lead to prolonged recovery (weeks to months), or even to severe brain swelling (Second Impact Syndrome) with devastating consequences. There is an increasing concern that head impact exposure and recurrent concussions may

contribute to long-term neurological problems. One goal of concussion education is to prevent a too early return to play so that serious brain damage can be prevented.

An athlete who is suspected of sustaining a concussion or head injury in an athletic activity shall be immediately removed from the athletic activity for the remainder of the day, and shall not be permitted to return to the athletic activity until the athlete is evaluated by and receives written clearance to return to the athletic activity from a licensed health care provider. If the licensed health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider.

Signs observed by teammates, parents and coaches include:

- Looks dizzy
- Looks spaced out
- Confused about plays
- Forgets plays
- Is unsure of game, score, or opponent
- Moves clumsily or awkwardly
- Answers questions slowly
- Slurred speech
- Shows a change in personality or way of acting
- Can't recall events before or after the injury
- Seizures or "has a fit"
- Any change in typical behavior or personality
- Passes out

Symptoms may include one or more of the following:

- Headaches
- "Pressure in head"
- Nausea or throws up
- Neck pain
- Has trouble standing or walking
- Blurred, double, or fuzzy vision
- Bothered by light or noise
- Feeling sluggish or slowed down
- Feeling foggy or groggy
- Drowsiness
- Change in sleep patterns
- Loss of memory
- "Don't feel right"
- Tired or low energy
- Sadness
- Nervousness or feeling on edge
- Irritability
- More emotional
- Confused
- Concentration or memory problems
- Repeating the same question/
comment

Student-athletes and parents are required to review and sign a Concussion Information Sheet as part of their annual sports packet.

CONSENT TO PHYSICAL EXAMINATION

Reference: 20 USC 1232h; EC 48980, 49451

BP/AR: 5141.3 – Health Examinations

Periodic health examinations of students may lead to early detection and treatment of conditions that impact learning. These examinations may also help determine whether the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act or Section 504. However, a parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected.

HPV IMMUNIZATION

Reference: EC 48980.4

BP/AR: 5141.31 – Immunizations

Students are advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices of the federal Centers for Disease Control and Prevention, the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the 8th grade of any private or public school. 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.

IMMUNIZATIONS

Reference: 17 CCR 6040, 6055; EC 48216, 48980, 49403; HSC 120372

BP/AR: 5141.31 – Immunizations

To protect the health of all students and staff and to curtail the spread of infectious diseases, students must be immunized against certain communicable diseases. Students may not be admitted into any elementary or middle school, preschool, or childcare and development program for the first time nor be admitted or advanced into grade 7 unless they have met the immunization requirements. The parent’s guide to “[Required Immunizations for School Entry](#)” from the California Department of Public Health (CDPH) website can be accessed by clicking on the title (link).

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

Medical exemptions may only be submitted using the standardized form developed by CDPH. To request such an exemption, parents are to first register for a California Immunization Registry – Medical Exemption (CAIR-ME) account at <https://cair.cdph.ca.gov/exemptions/home> to obtain a medical exemption request number before going to their child’s doctor.

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the student’s parent will receive notice that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against a communicable disease.

SDCOE will cooperate with state and local public health officials in measures necessary for the prevention and control of communicable diseases in school age children. SDCOE may use any funds, property, or personnel and may permit an authorized health care provider to administer an immunizing agent to any student whose parents have consented in writing. When feasible, the California Immunization Registry – a secure, confidential, statewide computerized immunization information system for California residents – may be accessed to track immunization records, reduce missed opportunities, and help fully immunize students of all ages.

MEDICAL OR HOSPITAL SERVICES

Reference: EC 48980, 49471, 49472

BP/AR: 5143 – Insurance

All students should have health and accident insurance protection to ensure that they receive needed health care services in the event of illness or injury.

On School Grounds and School-sponsored Activities – EC 49472

SDCOE may provide, or make available, medical or hospital service, or both, through nonprofit membership corporations defraying the cost of medical service and/or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance from authorized insurers, for injuries to students arising out of accidents on campus during a regular day school or while being transported by SDCOE to and from school or other place of instruction, or while at a school-sponsored activity and while being transported to, from and between such places. No student shall be compelled to accept such service without the student’s consent, or if a minor, without the consent of the student’s parent. The cost of the insurance or membership may be paid from the funds of SDCOE, or by the insured student or the student’s parent.

Excursions and Field Trips – EC 35331

SDCOE shall provide, or make available, medical and/or hospital service for students injured while participating in any school-sponsored excursion or field trip. The cost incurred by SDCOE may be paid from the funds of SDCOE, or by the insured student or the student’s parent.

Athletic Activities – EC 49471 (*Note: Notification is required only for middle or high schools*)

Option 1 – SDCOE does not provide or make available medical and/or hospital services for students injured while participating in athletic activities.

Option 2 – SDCOE may provide, or make available, medical and/or hospital service through nonprofit membership corporations defraying the cost of medical service and/or hospital service, or through group, blanket or individual policies of accident insurance from authorized insurer, for students injured while participating in athletic activities under the jurisdiction of, or sponsored or controlled by, SDCOE. The cost of the insurance or membership may be paid from the funds of SDCOE, or by the insured student or the student’s parent.

Insurance for Athletes – EC 32220-32224 (*Note: See “additional notes” above.*)

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

- Children’s Health Insurance Program at 1-800-541-555 or visiting <https://www.usa.gov>
- Medi-Cal at 1-800-300-1506 or visiting <https://www.coveredca.com/health/medi-cal/children/>

Members of school athletic teams include members of any extramural athletic team, school bands, orchestras, cheerleaders and their assistants, pom and dance team, team managers and their assistants, and any student selected by the school or student body organization to directly assist in the conduct of the athletic event.

ORAL HEALTH ASSESSMENT

Reference: EC 49452.8

BP/AR: 5141.32 – Health Screening for School Entry

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. To help children stay healthy, parents are advised of the following:

- Children need to be taken to the dentist. Dental check-ups can help keep a child’s mouth healthy and pain free.
- Healthy foods, like fresh fruits and vegetables, should be chosen for the entire family.
- Teeth need to be brushed at least twice a day with toothpaste that contains fluoride.
- Candy and sweet drinks like punch, juice, or soda should be limited. Sweet drinks and candy contain a lot of sugar, which causes cavities and leaves less room for a 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 a child healthy choices like water, milk, and fruit instead.

Having a healthy mouth helps children do well in school. So, to make sure children are ready for school, state law requires children to have an oral health assessment or dental check-up in their first year in public school – whether in transitional kindergarten or first grade. The assessment must be performed by a licensed dentist or other licensed or registered dental health professional no earlier than 12 months before the date of a child’s initial enrollment in school and no later than May 31 of the school year. The dentist will complete the Oral Health Assessment form, which then must be submitted to the school as proof that the assessment has been done. The school shall maintain the privacy of all students’ health information. A student’s identity shall not be associated with any report produced as a result of this requirement.

A parent who is unable to obtain the oral health assessment must complete a Waiver of Oral Health Assessment Requirement form and submit that to the school.

To help find a dentist, call the Medi-Cal Telephone Service Center at 1-800-322-6384 or visit [Medi-Cal Dental \(https://dental.dhcs.ca.gov/\)](https://dental.dhcs.ca.gov/) to find a dentist that accepts Medi-Cal. To enroll a child in Medi-Cal, parents can apply by mail, go in person to the local Social Services office, or online at [Apply for Medi-Cal \(https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx\)](https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx).

PRESCRIPTION OPIOIDS

Reference: EC 49476

BP/AR: 6145.2 – Athletic Competition

Prescription opioids can be used to help relieve moderate-to-severe pain and are often prescribed following a surgery or injury, or for certain health conditions. These medications can be an important part of treatment but also come with serious risks, such as risks of addiction and overdose, especially with prolonged use. An opioid overdose, often marked by slowed breathing, can cause sudden death. The use of prescription opioids can have a number of side effects as well, even when taken as directed:

- Tolerance – meaning, the need to take more medication for the same pain relief
- Physical dependence – meaning, having symptoms of withdrawal when a medication is stopped
- Increased sensitivity to pain
- Constipation
- Nausea, vomiting, and dry mouth
- Sleepiness and dizziness
- Confusion
- Depression
- Low levels of testosterone that can result in lower sex drive, energy, and strength
- Itching and sweating

Student-athletes and parents are required to review and sign the Opioid Factsheet as part of their annual sports packet.

SCHOOL MEALS

Reference: EC 48980, 49510, 49520

BP/AR: 3550 – Food Service/Child Nutrition Program

Adequate nutrition is essential to the development, health and well-being, and learning of all students. A free, nutritionally adequate breakfast and lunch is provided each school day to any student who requests a meal regardless of the student's free or reduced-price meal eligibility.

SUDDEN CARDIAC ARREST

Reference: EC 33479.3

BP/AR: 6145.2 – Athletic Competition

Sudden Cardiac Arrest (SCA) is a life-threatening emergency that occurs when the heart suddenly stops beating. It strikes people of all ages who may seem to be healthy, even children and teens. When SCA happens, the person collapses and doesn't respond or breathe normally. They may gasp or shake as if having a seizure, but their heart has stopped. SCA leads to death in minutes if the person does not get help right away. Survival depends on people nearby calling 911, starting CPR, and using an automated external defibrillator (AED) as soon as possible.

SCA is the #1 killer of student athletes and the leading cause of death on school campus. Studies show that 1 in 300 youth has an undetected heart condition that puts them at risk. Although SCA happens unexpectedly, some people may have signs or symptoms, such as:

- Fainting or seizure, especially during or right after exercise
- Fainting repeatedly or with excitement or startle
- Excessive shortness of breath during exercise
- Racing or fluttering heart palpitations or irregular heartbeat
- Repeated dizziness or lightheadedness
- Chest pain or discomfort with exercise
- Excessive, unexpected fatigue during or after exercise

These symptoms can be unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. SCA can be prevented if the underlying causes can be diagnosed and treated.

Coaches have the authority to remove from play a student who exhibits fainting, and potentially for other conditions if they are believed to be cardiac-related. Student-athletes must be evaluated and cleared by a physician, surgeon,

nurse practitioner, or physician's assistant to return to play. Student-athletes and parents are required to review and sign an SCA Information Sheet as part of their annual sports packet.

TYPE 1 DIABETES

Reference: EC 49452.6

BP/AR: 5141.3 – Health Examinations

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.

Description

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.

Risk Factors

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 and Diabetic Ketoacidosis (DKA)

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 level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken 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 a child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. The child's health care provider may refer the child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

Contact the school nurse, school administrator, or health care provider if there are any questions.

References

- [KidsHealth](#)
- [Mayo Clinic](#)
- [National Library of Medicine and National Institutes of Health's MedLine](#)

TYPE 2 DIABETES

Reference: EC 49452.7

BP/AR: 5141.3 – Health Examinations

The California Department of Education developed this type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County.

Description

Type 2 diabetes is the most common form of diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

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

Risk Factors Associated with Type 2 Diabetes

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

Risk Factors

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

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

Warning Signs and Symptoms Associated with Type 2 Diabetes

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

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

Type 2 Diabetes Prevention Methods and Treatments

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

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

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

Types of Diabetes Screening Tests That Are Available

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

Type 2 diabetes in children is a preventable/treatable disease and this guidance is intended to raise awareness about this disease. Contact the school nurse, school administrator, or health care provider if there are any questions.

References

[American Diabetes Association Clinical Journal](#)
[Helping Children with Diabetes Succeed: A Guide for School Personnel](#)
[KidsHealth](#)
[Mayo Clinic](#)
[National Library of Medicine and National Institutes of Health's MedLine](#)

WATER CONSUMPTION

Reference: EC 38043

Students have the right and are encouraged to bring a reusable bottle to fill and refill water to consume while at school. Drinking water plays an important role in maintaining a child's overall health in the following ways:

- Supports muscles, joints, and tissues
- Improves digestive system
- Keeps growing bodies hydrated
- Positively impacts cognitive performance, particularly short-term memory
- Improves visual attention and fine motor skills
- Can prevent excess weight gain when substituting sugary drinks

PARENT AND FAMILY ENGAGEMENT

INVESTING FOR HIGHER EDUCATION

Reference: EC 48980

BP/AR: N/A

Receiving a college or university education can lead to many benefits: increased earning potential, increased career opportunities, financial security, better problem-solving skills, and improved health and well-being. To ensure that students can afford going to college and not be weighed down by student loan debt, parents are highly encouraged to start saving for college as soon as they can – even when children are infants. As with any investment, the earlier money is saved, the more time it has to grow. Investment options include, but are not limited to, a 529 college savings plan, an individual retirement account (IRA or Roth IRA), Uniform Gift to Minors Act (UGMA) or Uniform Transfer to Minors Act (UTMA), trusts, or United States savings bonds. Students can also contribute by applying for scholarships and grants, taking Advanced Placement (AP) classes, working a full-time job in the summer or a part-time job during the school year, and opening a savings account.

PARENT AND FAMILY ENGAGEMENT POLICY

Reference: 20 USC 6318; EC 11503, 11504

BP/AR: 6020 – Parent Involvement; 6020.1 Title I Parent and Family Engagement in Juvenile Court and Community Schools; 6171 – Title I Programs

The County Board of Education and the County Superintendent of Schools recognize that parents/guardians are their children's first and most influential teachers and that continued parental involvement in the education of children contributes greatly to student achievement and conduct. Parents/guardians can directly affect academic success by reinforcing their children's motivation and commitment to education.

Teachers and parents/guardians can better understand and meet student needs if they work together. All of our schools and programs have a duty to communicate frequently with the home and to help parents/guardians develop skills which support classroom learning. Administrators and teachers should keep parents/guardians well informed about school expectations and advise them when and how they can assist their children in support of classroom learning activities.

The County Superintendent of Schools or his/her designee shall ensure that appropriate means of communication are established whenever he/she learns that a parent/guardian, for any reason, may not be able to understand written

communications from school or oral communications made during conferences related to the student's program, assessment, progress or school activities.

The County Superintendent of Schools or his/her designee shall also use interpreters for parents/guardians who do not understand English, shall provide progress reports in the primary language of the parent/guardian, and/or shall identify appropriate means of communication with such parents/guardians.

The County Superintendent of Schools or his/her designee shall establish a procedure whereby parents/guardians may request an interpreter and shall inform parents/guardians about this procedure.

The County Board of Education and County Superintendent of Schools encourage staff training in effective communication with parents/guardians

The full board policy pertaining to Juvenile Court and Community Schools can be found here: [JCCS Title I Parent and Family Engagement in Juvenile Court and Community Schools](#)

PROFESSIONAL QUALIFICATIONS

Reference: 20 USC 6312; 34 CFR 200.61

BP/AR: 4112.2 – Certification; 4222 – Teacher Aides/Paraprofessionals

Parents of students who attend a school receiving Title I funds may request information regarding the professional qualifications of their students' classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

A school that receives Title I funds will also provide to each individual parent information on the level of achievement and academic growth of their child, if applicable and available, on each of the required State academic assessments, and timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

RIGHTS OF PARENTS

Reference: EC 51101, 51101.1

BP/AR: 5020 – Parent Rights and Responsibilities

Parents have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time after making the request, to observe their child's classroom(s).
2. Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
3. To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of their child's school on standardized statewide tests, including the state test for English language proficiency for English learners.
6. To request a particular school for their child, and to receive a response from SDCOE.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of their child's class(es).
9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.

10. To have access to the school records of their child.
11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
14. To participate as a member of a parent advisory committee, school site council, or site-based management leadership team.
15. To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
16. To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

A parent's lack of English fluency does not prevent a parent from exercising such rights. SDCOE will take all reasonable steps to ensure that all parents who speak a language other than English are properly notified in English and in their home language, pursuant to EC 48985, of the rights and opportunities available to them. Please note that SDCOE is not authorized to allow a parent's participation in the education of their child if it conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.

SCHOOL ACCOUNTABILITY REPORT CARD

Reference: EC 35256, 35258

BP/AR: 0510 – School Accountability Report Card

By February 1 of each year, all public schools in California are required to update and publish a school accountability report card (SARC) with the intent to provide the public with important information about each public school and to communicate a school's progress in achieving its goals. The primary purpose is to provide parents with data and information to make meaningful comparisons between public schools, enabling them to make informed decisions on which school to enroll their children. The content of the SARC includes demographic data, school safety and climate for learning information, academic data, school completion rates, class sizes, teacher and staff information, curriculum and instruction descriptions, postsecondary preparation information, and fiscal and expenditure data. Printed copies may be obtained from the school principal or may be accessed at www.sdcoe.net.

STUDENT WELLNESS POLICY

Reference: 42 USC 1758b; 7 CFR 210.31; EC 49432

BP/AR: 5030 – Student Wellness

Recognizing the link between student health and learning, SDCOE has an established student wellness policy for all its schools to provide a comprehensive program that promotes healthy eating and physical activity for students. SDCOE shall coordinate and align its efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and healthy school environment. Parents, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public are encouraged to participate in the development, implementation, and periodic review and update of the policy.

To review the content of the policy and any updates, <https://www.sdcoe.net/schools/juvenile-court-community-schools/jccs-nutrition-services>. To find out how to be involved with the School Wellness Council, please contact Ana Lopez Hernandez at 858-290-5943.

SAFETY AND WELL-BEING

ASBESTOS MANAGEMENT PLAN

Reference: 40 CFR 763.84, 763.93

BP/AR: 3514 – Environmental Safety

Parents have the right to inspect a complete, updated copy of a management plan for asbestos-containing material in school buildings. The asbestos management plan can be made available for inspection, without cost or restriction, in the district office and school offices during normal business hours. SDCOE may charge a reasonable cost to make copies of the management plan. For further information, contact Allison Wulff at 858-290-5806.

CHILD ABUSE PREVENTION AND NEGLECT REPORTING

Reference: EC 48987; PC 11164 *et seq.*

BP/AR: 5141.4 – Child Abuse Prevention and Reporting

All employees of SDCOE are considered mandated reporters, required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/or neglect. Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on their training and experience, to suspect child abuse or neglect; it does not require certainty that the child abuse and/or neglect has occurred. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (*i.e.*, Police or Sheriff’s Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents of students also have a 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. Complaints may be filed with the local law enforcement agency; parents may also notify SDCOE of an incident by contacting Josue Diaz, Jr. 858-295-8803 josue.diaz@sdcoe.net .

DANGERS OF SYNTHETIC DRUGS

Reference: EC 48985.5

BP/AR: 5131.6 – Alcohol and Other Drugs

Fentanyl is a major contributor to drug overdoses in California, including among youth. Fentanyl is an extremely potent and dangerous synthetic opioid, like heroin and morphine, and is laboratory engineered to be about 50 times stronger than heroin. This means even small amounts can lead to a fatal overdose. Fentanyl is powerful and difficult to detect. People who make or sell drugs sometimes add small amounts of fentanyl – in ways that are not noticeable to the user – to other substances because of its extreme potency, making the drugs cheaper, more powerful, more addictive, and more dangerous. The U.S. Department of Justice Drug Enforcement Administration has directly connected social media drug sales to overdose deaths. Drug traffickers have turned smartphones into a one-stop shop to market, sell, buy, and deliver deadly, fake prescription pills and other dangerous drugs. These deadly drugs can be purchased and delivered to anyone’s home just like any other good or service. Drug traffickers advertise on social media platforms like Facebook, Instagram, Snapchat, TikTok, Twitter and YouTube. These advertisements are in disappearing, 24-hour stories and in posts, which are promptly posted and removed. Posts and stories are often accompanied by known code words and emojis that are used to market and sell illicit and deadly drugs on social media. These code words and emojis are designed to evade detection by law enforcement and by the preset algorithms used by social media platforms. Social media drug trafficking impacts all age groups, but adolescents and young adults are particularly susceptible given their high rates of social media usage.

Fentanyl misuse may result in an intense, short-term high; temporary feelings of euphoria; slowed respiration and reduced blood pressure, nausea, fainting; seizures or death. Methamphetamine misuse may result in agitation;

increased heart rate and blood pressure; increased respiration and body temperature; anxiety and paranoia. High doses can cause convulsions, cardiovascular collapse, stroke or death. Overdose may result in stupor, changes in papillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death. The presence of a triad of symptoms such as coma, pinpoint pupils, and respiratory depression are strongly suggestive of opioid poisoning.

With a fentanyl-poisoned drug supply, avoiding drug use is the surest way to prevent an overdose. The only safe medications are ones that come from licensed and accredited medical professionals. For more information, review the [Facts About Fentanyl](#) on the California Department of Public Health website.

EMPLOYEE INTERACTION WITH STUDENTS

Reference: EC 44050

BP/AR: 4119.21, 4219.21, 4319.21 – Professional Standards; 4119.24, 4219.24, 4319.24 – Maintaining Appropriate Adult-Student Interactions

Employees, including independent contractors and volunteers, of SDCOE are expected to maintain the highest ethical standards, exhibit professional behavior, follow SDCOE policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students both within and outside the educational setting. To ensure employees fulfill their obligation to ensure the safety of all students and contribute to a positive school climate, employees shall not engage in unlawful or inappropriate interactions with students and must avoid boundary-blurring behaviors that undermine trust in the adult-student relationship.

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. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

FINGERPRINTING PROGRAM

Reference: EC 32390, 48980

BP/AR: 5142.1 – Identification and Reporting of Missing Children

SDCOE offers a voluntary fingerprinting program for all students entering kindergarten or newly enrolled. SDCOE may contract with any public or private agency, including any appropriate civic or community organization, and/or may seek to obtain private funding and volunteer assistance to perform the fingerprinting. Students shall not be fingerprinted without written parent consent. Parents who consent to the fingerprinting shall be charged a fee of \$100. A parent may withdraw their consent to their student's participation in the fingerprinting program in writing at any time.

Any report or document containing a student's fingerprints shall be given to the parents with the student's report card or any other document routinely mailed to parents or may be given in person at any parent-teacher conference. No report or document containing a student's fingerprints shall be kept by SDCOE or given to any other private or public entity.

MEGAN'S LAW/SEX OFFENDERS

Reference: PC 290.45, 626.81

BP/AR: 3515.5 – Sex Offender Notification

Whenever the principal has granted permission to a registered sex offender to come into a school building or upon school grounds to volunteer at the school, the principal shall notify the parent of each student at that school, at least 14 days in advance, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent's right to obtain information regarding the person from a designated law enforcement agency.

SDCOE will respond as directed or advised by a law enforcement agency due to the presence of a registered sex offender on school grounds – law enforcement is the agency best able to assess the relative danger of a sex offender. Parents requesting information about sex offenders in the community should either contact law enforcement or access

the Megan's Law webpage from the California Department of Justice's website <http://meganslaw.ca.gov/>. The website also provides information on how to protect children and their families, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

PESTICIDE PRODUCTS

Reference: EC 17611.5, 17612, 48980.3

BP/AR: 3514.2 – Integrated Pest Management

SDCOE uses pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. A warning sign at each area of the school site where pesticides will be applied shall be posted visibly to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application.

Parents can register at their student's school to receive notification of individual pesticide applications. Notifications will be provided by Todd Owens, Executive Director Maintenance and Operations, 72 hours before the application, except in emergencies, and will include the product name, the active ingredient(s) in the product, and the intended date of application.

Parents seeking access to information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code 13184, can do so by going to <https://www.cdpr.ca.gov/docs/schoolipm/>.

SAFE STORAGE OF FIREARMS

Reference: EC 48986, 49392

BP/AR: 0450 – Comprehensive Safety Plan

There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from 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.

Parents are responsible for keeping firearms out of the hands of children and should review this notice and evaluate their own personal practices to ensure that every member in the family is 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, 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. (*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, unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, 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.
- A parent may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

- The county or city where the parent resides may have additional restrictions regarding the safe storage of firearms. 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.

SCHOOL ATTENDANCE

ABSENCE DUE TO CONFIDENTIAL MEDICAL SERVICES

Reference: EC 46010.1

BP/AR: 5113 – Absences and Excuses

Students in grades 7-12 may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent. When excusing students for confidential medical services or verifying such appointments, staff will not ask the purpose of the appointment but may contact a medical office to confirm the time of the appointment. In accordance with a November 2004 opinion issued by the California Attorney General, staff may not notify a parent when a student leaves school to obtain confidential medical services.

ABSENCE DUE TO RELIGIOUS EXERCISES OR INSTRUCTION

Reference: EC 46014, 48980

BP/AR: 5113 – Absences and Excuses

With the written consent of the parent, a student may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at the student's place of worship or at other suitable places away from school property designated by a religious group, church, or denomination. Such absence shall not be deemed absence in computing average daily attendance if the student attends at least the minimum school day and is not excused from school for this purpose on more than four days per school month.

ADDRESSING ABSENCES

Reference: EC 48260 *et seq.*, 48320 *et seq.*, 51101

BP/AR: 5113.1 – Chronic Absence and Truancy

California law requires full-time attendance and punctuality of every student between 6 and 18 years of age. Schools are required to enforce the law, and parents are responsible for compelling the attendance of their children at school. As such, absences can be minimized by scheduling medical, dental, and other appointments after school or when school is not in session; vacations should be planned when school is not in session.

The School Attendance Review Board (SARB) is a multidisciplinary panel composed of school personnel, agency partners and community-based organizations that address attendance and/or behavior problems. Specifically, the panel may include, but is not limited to a parent, SDCOE staff, representatives from child welfare and attendance personnel, school guidance personnel, county office of education, county probation department, county welfare department, law enforcement agencies, community-based youth service centers, school/county health care personnel, school/county/community mental health personnel, county district attorney's office, and county public defender's office. The intent of SARB is to resolve school-related issues through the use of available school and community resources. Failure to meet with SARB or follow its directives can result in a referral to the District Attorney's Office for truancy mediation and/or prosecution.

Truancy

A student is considered *truant* after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and SDCOE has made a conscientious effort to meet with the family, the student is considered a *habitual truant*. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a *chronic truant*. Unexcused absences are all absences that are not described in EC 48205 and AR 5113 – Absences and Excuses.

Parents of students who are identified as truant will receive truancy notifications that may result in a referral to the School Attendance Review Team (SART) and SARB if attendance does not improve. Additionally, the school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from their home and who is absent from school without valid excuse within the county, city or school.

Chronic Absenteeism

A student is considered a chronic absentee when they are absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused (including suspensions from school)– and is an important measure because excessive absences negatively impact academic achievement and student engagement.

The school will make every effort to work with students who are identified as chronic absentees to improve attendance. The SART/SARB and other multidisciplinary teams may be convened to offer assistance, suggestions, and ongoing support for students that have a history of poor or irregular attendance.

EXCLUSION FROM SCHOOL

Reference: EC 48213, 51101

BP/AR: 5112.2 – Exclusions from Attendance

A student may be excluded from school without prior notice to the parent for any of the following reasons:

1. The student resides in an area subject to quarantine pursuant to HSC 120230.
2. The student is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to EC 49451.
3. The Executive Director determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

The Executive Director shall send a notice as soon as reasonably possible after the exclusion. Upon exclusion of the student, a parent may meet with the Executive Director to discuss the exclusion. If the parent disagrees with the decision of the Executive Director, the parent may appeal the decision to the Governing Board. The parent will have an opportunity to inspect all documents upon which SDCOE is basing its decision, to challenge any evidence and question any witness presented by SDCOE, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

EXCUSED ABSENCES

Reference: EC 48205, 48980

BP/AR: 5113 – Absences and Excuses

In order for an absence to be excused, the reason for such absence must meet the criteria specified under EC 48205, as provided below. A student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

EC 48205. (a) Notwithstanding Section 48200, 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 the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- (4) For the purpose 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 the purpose of jury duty in the manner provided for by law.
- (6) Due to 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 the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from deployment. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

(10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

(11) For the purpose of participating in a cultural ceremony or event.

(12) (A) For the purpose 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 school day-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 (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 school day 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.

SCHOOL CALENDAR

Reference: EC 48980

BP/AR: 6111 – School Calendar

To assist parents with the planning for their student's childcare needs, medical appointments, and other activities, the school calendar includes minimum days and student-free staff development days. Please refer to the school calendar

provided in this document; the calendar is also posted on SDCOE's website at www.sdcoe.net. If any additional minimum days or student-free staff development days are scheduled during the school year, parents of all students affected by the change shall be notified as soon as possible, but no later than one month before the scheduled minimum or student-free day.

STUDENTS WITH TEMPORARY DISABILITIES

Reference: EC 48206.3, 48207, 48208, 48980

BP/AR: 6183 – Home and Hospital Instruction

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled in a regular or an alternative education program, and after which the student can reasonably be expected to return without special intervention. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs.

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility (“qualifying hospital”), excluding state hospitals. It is the responsibility of the parent to notify the student’s principal and request for individual instruction (also referred to as “home and hospital instruction”). When notified that a student has a temporary disability, SDCOE shall determine within five working days whether the student is eligible to receive individual instruction. If determined that individual instruction is appropriate, the instruction shall begin within five working days from the date the determination was made. *Students who cannot attend regular school for less than 16 school days may, alternatively, participate in the short-term independent study program.*

If a student with a temporary disability is in a qualifying hospital that is located outside the school district in which the student’s parent resides, it is the parent’s responsibility to notify the school district in which the qualifying hospital is located of the student’s presence. The location of the qualifying hospital is considered the student’s place of residence during their stay there; therefore, the student shall receive individual instruction by the school district in which they are temporarily residing unless SDCOE has entered into an agreement with the other district to provide the individual instruction.

Every effort shall be made for students to continue with the courses that are necessary for the student to maintain their academic status, but in some cases, this will not be possible due to various constraints. *High school students who are not able to complete courses in progress at the time they are receiving individualized instruction may need to complete the course in either summer school or through some other venue. In some cases, a student’s high school graduation may be delayed due to the restrictions of this program.* SDCOE staff may not be able to replicate certain highly specialized courses or a given course in the individualized instruction setting. For example, Honors or Advanced Placement classes, world languages, PE, laboratory sciences, higher-level mathematics classes, and some electives cannot be replicated.

SDCOE may continue to enroll a student with a temporary disability who is receiving individual instruction in a qualifying hospital to facilitate the timely reentry of the student in their prior school after the hospitalization has ended, or to provide a partial week of instruction at school or at home to a student who is no longer confined to the hospital setting. The total days of instruction may not exceed the maximum of five days in the combined setting, and attendance may not be duplicated. The supervisor of attendance will ensure that absences from the regular school program are excused until the student is able to return to that program.

SCHOOL ENROLLMENT AND OPTIONS

DISTRICT OF CHOICE

Reference: EC 48300 *et seq.*, 48980

BP/AR: 5117 – Interdistrict Attendance

A student may transfer to a school district that participates in SDCOE of Choice (DOC) program. The DOC shall determine the number of transfer students it is willing to accept and will admit students until it is at maximum capacity

through an unbiased process that does not inquire into, evaluate, or consider students on their academic or athletic performance, physical condition, proficiency in English, any personal characteristic (*i.e.*, race, gender, religion, sexual orientation, etc.), or family income. However, a DOC may use existing entrance criteria for specialized schools or programs as long as the criteria are uniformly applied to all applicants.

If there are more requests than there are spaces available, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled board meeting of the DOC after granting priority enrollment in the following order:

1. Siblings of students already in attendance in the DOC
2. Students eligible for free or reduced-price meals, and students who are in foster care or are experiencing homelessness
3. Children of military personnel

An application requesting transfer must be submitted to the DOC before January 1 of the school year preceding the school year for which the student is requesting the transfer – a modified application process is available for children of relocated military personnel. By March 1, applicants shall be notified in writing whether the application has been provisionally accepted or rejected or of the student’s position on any waiting list. Vacancies may be filled from the waiting list until May 1. Once the transfer is approved, a student attending a DOC complies with residency requirements for school attendance. The transfer is applicable for one school year and shall be renewed automatically unless the governing board of the DOC elects to withdraw participation from the program.

SDCOEs electing to participate in the DOC program are required to register with the California Department of Education; a list of participating districts for the current school year can be found at <https://www.cde.ca.gov/sp/eo/dc/>. For additional information regarding the application process, timelines, selection process, and reasons for denial of a request, please visit the website of the participating district.

INDEPENDENT STUDY

Reference: 5 CCR 11700 *et seq.*; EC 48980, 51744 *et seq.*

BP/AR: 6158 – Independent Study

SDCOE recognizes that there are situations where students’ special interests, abilities, or individual needs are not being met in the traditional instructional setting. Independent study offers a means of individualizing the educational plan to serve students who, for example:

1. Desire a more challenging educational experience;
2. Have health or other personal circumstances that make classroom attendance difficult;
3. Are unable to access course(s) due to scheduling problems; and/or
4. Need to make up credits or fill gaps in their learning.

Additionally, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student’s regular classes during an absence from school. Parents may request short-term independent study for up to 15 school days in a school year. In order to facilitate the timely offering of short-term independent study, parents are strongly encouraged to sign a learning agreement at or before the start of each school year.

SDCOE’s independent study is available to all students enrolled in K-12 and is substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete SDCOE’s adopted course of study within the customary timeframe. Students in independent study shall also have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges.

Participation in independent study must always be the choice of the parent; SDCOE may not require or otherwise obligate a student’s participation in the program. If a student has an IEP or Section 504 Plan, enrollment in independent study is a placement decision and is only allowed if the student’s IEP or Section 504 Plan specifically provides for that participation; an IEP or 504 meeting is required prior to any change of placement. Parents and students who are interested in the independent study program should contact the school principal.

Persistently Dangerous School [20 USC 7912; 5 CCR 1192]

Within 10 calendar days of receiving notification from CDE that a school has been designated as “persistently dangerous,” parents of students attending the school shall be provided with notice of the school’s designation and the option to transfer their students to another school. A list of other schools to which a student may transfer, and applicable timelines and procedures for requesting the transfer shall be provided at least 14 calendar days before the start of the school year.

Parents who desire to transfer their child out of a “persistently dangerous” school shall provide a written request and rank-order their preferences from among all schools identified in the notification as eligible to receive transfer students. SDCOE shall consider the needs and preferences of students and parents before making an assignment but is not obligated to accept the parent’s preference if the assignment is not feasible due to space constraints or other considerations.

If parents decline the assigned school, the student may remain in their current school. For students whose parents accept the offer, the transfer shall be made as quickly as possible. The transfer shall remain in effect as long as the student’s school of origin is identified as “persistently dangerous.” SDCOE may choose to make the transfer permanent based on the educational needs of the student, parent preferences, and other factors affecting the student’s ability to succeed if returned to the school of origin.

STUDENT BEHAVIOR

ASSIGNMENTS AND TESTS DURING SUSPENSION

Reference: EC 47606.2, 48913, 48913.5, 48980

BP/AR: 5144 – Discipline; 5144.1 – Suspension and Expulsion/Due Process

The teacher of any class from which a student is suspended may require the suspended student to complete any assignments and tests missed during the suspension. However, a teacher must provide a student that has been suspended from school for two or more days the homework that the student would otherwise have been assigned if the student or the student’s parent or other person holding educational rights makes a request to the teacher. Whenever a homework assignment that is requested and turned into the teacher either upon the student’s return to school from suspension or by the deadline prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment cannot be included in the calculation of the student’s overall grade in class.

DISCIPLINE RULES

Reference: 5 CCR 300; EC 35291, 44807, 48980

BP/AR: 5144 – Discipline; 5144.1 – Suspension and Expulsion/Due Process

SDCOE is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. SDCOE believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

Each school site and each classroom teacher has established behavior expectations for their students that are consistent with Board policy and applicable state and federal laws. Staff shall enforce disciplinary rules fairly, consistently, and in accordance with SDCOE’s nondiscrimination policies. Students shall be held to a strict account for their conduct on the way to and from school, in the classroom and other school buildings, on school grounds, at school-sponsored activities, and on the school bus. Students shall conform to school regulations; obey promptly all directions of teachers and others in authority; be diligent in study; be kind, courteous, and respectful to all students and staff; and refrain entirely from the use of profane and vulgar language.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Disciplinary measures that may result in loss of instructional

time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

GROUNDS FOR SUSPENSION AND EXPULSION

Reference: EC 35291, 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48901.1, 48915, 48980

BP/AR: 5144.1 – Suspension and Expulsion/Due Process

A student at any grade level may be suspended from school or recommended for expulsion for committing any of the following acts that are related to a school activity or school attendance: (EC 48900, 48900.7)

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon another person, except in self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
4. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind. *(Note: Students who voluntarily disclose their use in order to seek help through services or supports shall not be suspended solely for that disclosure.)*
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco, or products containing tobacco or nicotine products. *(Note: Students who voluntarily disclose their use in order to seek help through services or supports shall not be suspended solely for that disclosure.)*
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm. 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.
14. Committed or attempted to commit a sexual assault or committed a sexual battery.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in, hazing. Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student.
18. Engaged in an act of bullying. Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property; cause the student to experience a substantially detrimental effect on the student's physical or mental health; or cause the student to experience substantial interferences with the student's academic performance or ability to participate in or benefit from the services, activities, or privileges provided by the school. Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. 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.
19. Aided or abetted the infliction or attempted infliction of physical injury on another person.
20. Made terrorist threats against school officials and/or school property. A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily

injury to another person or property damage in excess of \$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.

Additional grounds for suspension and expulsion for students in grades 4 through 12 include: (EC 48900.2, 48900.3, 48900.4)

1. Committed sexual harassment. Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. Hate violence includes injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics.
3. Intentionally engaged in harassment, threats, or intimidation against SDCOE personnel or students 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 school personnel or students by creating an intimidating or hostile educational environment.

Recommendation to Expel

As required law, a student found to have committed any of the following acts at school or at a school activity off school grounds shall be immediately suspended and recommended for expulsion: (EC 48915(c))

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possessing an explosive.

For all other acts committed at school or at a school activity off school grounds, a student may be recommended for expulsion based on a finding of one or both of the following: (EC 48915(b) and (e))

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 student causes a continuing danger to the physical safety of the student or others.

INVOLVEMENT OF LAW ENFORCEMENT

Reference: EC 35291, 44014, 48902, 48980

BP/AR: 5144.1 – Suspension and Expulsion/Due Process

Whenever any school employee is attacked, assaulted, or physically threatened by a student, the incident must be promptly reported to the appropriate law enforcement authorities. Additionally, the principal or designee must notify the appropriate law enforcement authorities, within specified timelines, of any acts committed by students occurring on school grounds that involve:

1. Assault with a deadly weapon or instrument
2. Sexual battery or sexual assault
3. Controlled substances, alcoholic beverages, or intoxicants
4. Firearms or explosives
5. Any dirk, dagger, ice pick, knife having a blade longer than 2½ inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser, or stun gun (as defined in PC 244.5(a)), any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun

Whenever the principal or designee reports a criminal act committed by a student with exceptional needs, the principal or designee will ensure that copies of the student's special education and disciplinary records are provided to law enforcement authorities for consideration.

PROPERTY LOSS OR DAMAGE

Reference: EC 35291, 48904, 48980, 49014

BP/AR: 3515.4 – Recovery for Property Loss or Damage; 5125.2 – Withholding Grades, Diploma or Transcripts; 6161.2 – Damaged or Lost Instructional Materials

When SDCOE property is damaged due to the willful misconduct of a student, SDCOE shall seek reimbursement of damages, within the limitations specified in law, from the student’s parent or from any other responsible individual.

SDCOE may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of SDCOE books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. If the student’s parent is unable to pay for the damages or to return the property, a program of voluntary work for the student shall be offered in lieu of the payment of monetary damages. Until the student’s parents have paid for the damages, or the voluntary work has been completed, SDCOE may withhold the student’s grades, diploma, and/or transcript. Before withholding a student’s grades, diploma, and/or transcripts, the student’s parents shall be informed of the student’s alleged misconduct in writing. In addition, appropriate disciplinary procedures may be initiated against the student.

SUSPENSION BY TEACHER FROM CLASS

Reference: EC 35291, 48900.1, 48910, 48980

BP/AR: 5144.1 – Suspension and Expulsion/Due Process; 5144.4 – Required Parental Attendance

After other means of correction have failed to bring about proper conduct, a teacher may suspend a student from their class for the remainder of the day and the following day for any act listed under the notification on “Grounds for Suspension and Expulsion”. A teacher may also refer a student to the principal or designee for consideration of suspension from school.

A student suspended from class will not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. During this period of suspension, the student will not be placed in another regular class; however, if the student is assigned to more than one class per day, the student may be placed in any other regular classes except those held at the same time as the class from which the student was removed. The teacher may require the student to complete any assignments and tests missed during the suspension.

As soon as possible, the teacher will ask the student’s parent to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator will attend, if requested by either the parent or teacher.

When suspending a student from class for committing an act of obscenity, habitual profanity or vulgarity, disruption of school activities, and/or willful defiance, the teacher may require any parent who lives with the student to accompany the student for a portion of a school day in the class from which the student has been suspended. A written notice will be sent to the parent regarding the implementation of this requirement.

Per LC 230.7, employers are not allowed to discharge or in any manner discriminate against an employee who is a parent of a student taking time off to comply with the requirement described above as long as the parent has given reasonable notice to their employer. Any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of employment by their employer for taking time off to appear in their child’s school as described above shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by those acts of the employer.

SUSPENSION FROM SCHOOL

Reference: EC 35291, 48911, 48980

BP/AR: 5144.1 – Suspension and Expulsion/Due Process

A student may not be suspended from school for more than five consecutive school days unless the suspension is extended pending expulsion proceedings. A suspension by the principal or designee will be preceded by an informal conference where the student is informed of the reason for the disciplinary action, including the other means of

correction that were attempted, and the evidence against them, and is given the opportunity to present their version and evidence in their own defense. This conference may be omitted if the principal or designee determines that an emergency exists, involving a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent and student will be notified of the student's right to return to school for the purpose of a conference. The conference will be held within two school days unless the student waives their right to it or is physically unable to attend for any reason. In such a case, the conference will be held as soon as the student is physically able to return to school.

At the time of the suspension, a school employee will make a reasonable effort to contact the parent by telephone, by email, or in person. The parent will also be notified in writing of the suspension. The notice will state the specific offense committed by the student and may include the date and time when the student may return to school. School officials may request a meeting with the parent to discuss the causes and duration of the suspension, the school policy involved and any other pertinent matter. The parent of a student who is suspended must respond without delay to the request for a meeting; however, the student may not be denied readmission solely because the parent failed to attend the meeting.

If a student is also being recommended for expulsion, the Executive Director may extend the period of suspension beyond the five consecutive days if determined, following a meeting in which the student and the student's parent are invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.

To appeal a suspension, the process for challenging student records will be followed. Parents are encouraged to start by submitting a request to appeal a suspension to an administrator or a school site designee who did not issue the suspension.

Note: In the case of a foster child, any discipline-related notification provided to the parent means notification to the foster child's educational rights holder, attorney, and county social worker. For an Indian child, the notification is provided to the Indian child's tribal social worker and, if applicable, county social worker.

REPORTING THREATS

Reference: EC 35291, 48902, 49331, 49393, 48980

BP/AR: 3515 – Campus Safety; 5131.7 – Weapons and Dangerous Instruments

Any employee or other school official whose duties bring them in contact on a regular basis with students in any of grades 6-12, as part of a middle or high school, who is alerted to or observes any threat or perceived threat of a homicidal act shall immediately report the threat or perceived threat to law enforcement.

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

STUDENT RECORDS

ACCESS BY MILITARY RECRUITERS

Reference: 20 USC 7908

BP/AR: 5125.1 – Release of Directory Information

Federal law requires that SDCOE provides military recruiters access to secondary school students' names, addresses and telephone listings upon request by the military recruiters. A student or parent may request that this information not be released to military recruiters without prior written consent. Such requests must be submitted in writing to JCCS Registrar .

ACCESS TO STUDENT RECORDS

Reference: 34 CFR 99.7, 99.34; EC 234.7, 49063, 49069.7

BP/AR: 5125 – Student Records

Access means personal inspection and review, request and receipt, and oral description or communication of any record. A log is maintained in each student's record which lists all persons, agencies, or organizations that have requested or received information from the records and the legitimate educational interest of the requester. The log is only accessible to the parent, a student who is 16 years of age or older or who has completed the 10th grade, the custodian of records, and certain state and federal officials.

School officials and employees with legitimate educational interests may access student records without parental consent as long as access to such records is required to fulfill their duties and responsibilities, whether routine in nature or as a result of special circumstances (e.g., working with the student, compiling and analyzing student data, connecting a student to education programs or services). School officials and employees also include contractors, consultants, volunteers, or other parties to whom SDCOE has outsourced its functions and who perform services for which SDCOE would otherwise use employees. Upon request from officials of another school, school system, or postsecondary institution in which a student seeks or intends to enroll or is already enrolled, SDCOE is authorized to disclose educational records without parental consent as long as the disclosure is for purposes related to the student's enrollment or transfer.

A student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Parents have the right to:

1. Inspect and review the student's educational record maintained by the school
2. Request that a school correct records which they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights (*see notification on "Challenging Student Records"*)
3. Consent to disclosures of personally identifiable information contained in the student's records, except to the extent that state and federal laws authorize disclosure without consent, and request a copy of the records that were disclosed
4. File a complaint with the U.S. Department of Education concerning an alleged failure by SDCOE to comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) by completing the [FERPA Complaint Form](#) and then either emailing the completed form to FERPA.Complaints@ed.gov, or mailing the completed form to: U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Ave., SW, Washington, D.C. 20202-8520

When a student turns 18 years of age, all rights regarding student records are transferred from the parent to the student. If the adult student is still claimed by the parent as a dependent for tax purposes, the parent may still access the student's records. Although non-custodial parents are not afforded the rights described above, they have the right to access their student's education records unless that right of access has been limited through a court order.

When prior written consent from a parent is required by law, the parent must provide a written, signed, and dated consent before SDCOE discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The parent must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent, SDCOE will provide the parent a copy of the records disclosed. The written request to access or disclose a student's records must be submitted in written form to District Registrar, who will, in turn, have five business days from the day of receipt of the request to fulfill the request during regular school hours. Qualified certificated personnel are available to interpret records when requested. Reasonable measures will be taken to prevent the alteration, damage, or loss of records during inspection.

CAL GRANT PROGRAM

Reference: EC 69432.9

BP/AR: 5121 – Grades/Evaluation of Student Achievement; 5125 – Student Records

A Cal Grant is a California-specific financial aid allocation that does not have to be paid back. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

Cal Grant applicants must apply using the FAFSA or CA Dream Act Application by the deadline and meet all eligibility, financial, and minimum GPA requirements of either program. To assist students with the application, all students in grade 12 are automatically considered a Cal Grant applicant and each grade 12 student's GPA will be submitted by the October 1 deadline to the California Student Aid Commission (CSAC) electronically by either the school or SDCOE. Upon implementation of transcript-informed accounts for students in grades 9-12 on the CaliforniaColleges.edu platform, any GPA data required for eligibility for financial aid programs will be submitted through the California College Guidance Initiative.

A student, or the parent of a student under 18 years of age, may complete a form to indicate that they do not wish for the school to electronically send CSAC the student's GPA. Until a student turns 18 years of age, only the parent may opt out the student. Once a student turns 18 years of age, only the student may opt themselves out, and can opt in if the parent had previously decided to opt out the student. Notification regarding CSAC and the opportunity to opt out of being automatically deemed a Cal Grant applicant will be provided to all students and their parents by January 1 of the students' 11th grade year. If the opt out form is not received by March 1 of the student's 11th grade year, the student's GPA will be submitted to CASC beginning September of the student's 12th grade year.

CALIFORNIA COLLEGE GUIDANCE INITIATIVE

Reference: EC 51229, 60900.5

BP/AR: 5125 – Student Records

The California College Guidance Initiative (CCGI) works to smooth the path to college for California students and unify the efforts of the institutions that serve them. Combining data-driven tools and infrastructure with capacity building and student-focused curricula, CCGI helps close the gaps between systems and ensure that all California students, especially those who have been underrepresented in higher education, can move seamlessly from K-12 to college and career. CCGI manages CaliforniaColleges.edu, which is the state's official college and career planning platform and is free to all California students in grades 6-12 and their families.

To facilitate this, data for all students enrolled in grades 6-12 public schools will:

1. Be shared with the CCGI.
2. Be used to provide students and families with direct access to online tools and resources.
3. Will enable a student to transmit information shared with the CCGI to both of the following:
 - Postsecondary educational institutions for purpose of admissions and academic placement.
 - The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

CHALLENGING STUDENT RECORDS

Reference: 34 CFR 99.7; EC 49063, 49066, 49070

BP/AR: 5125 – Student Records; 5125.3 – Challenging Student Records

Following an inspection and review of student records, the parent may challenge the content of the records and/or ask for records to be expunged. The parent may submit to the principal a written request to correct or remove from the student's records any information concerning the student which they allege to be any of the following: inaccurate, an unsubstantiated personal conclusion or inference, a conclusion or inference outside the observer's area of competence, not based on the personal observation of a named person with the time and place of the observation noted, misleading, or in violation of the privacy or other rights of the student.

Within 30 calendar days, the Executive Director or designee will meet with the parent and the certificated employee who recorded the information, if any, and if the person is still employed with SDCOE, and sustain or deny the allegations. If the allegations are sustained, the Executive Director or designee will order the correction, removal, or destruction of the information. If the Executive Director denies the allegations, the parent may appeal the decision to

the Governing Board within 30 calendar days. The Board will determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it will order the Executive Director or designee to immediately correct, remove, or destroy the information from the written records of the student.

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the Executive Director or designee, the parent has the right to submit a written statement of objections to the information. This statement becomes a part of the student's school record until such time as the information objected is removed.

Both the Executive Director or designee and the Board have the option of appointing a hearing panel in accordance with EC 49070-49071 to assist in the decision-making.

If the challenge involves a student's grade, the teacher who gave the grade will be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. To the extent practicable, the teacher will be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher is final.

DIRECTORY INFORMATION

Reference: 20 USC 1232g; 24 CFR 99.37; EC 49063, 49073

BP/AR: 5125.1 – Release of Directory Information

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes the student's name, address, telephone number, email address, date of birth, major field of study, participation record in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended. Directory information may include a student identification number, user identification, or other personal identifier used by the student for purposes of accessing or communicating in electronic systems as long as the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information does not include a student's social security number. Directory information also does not include the student's citizenship status, immigration status, place of birth, or any other information indicating national origin. SDCOE will not release such information without parental consent or a court order.

The primary purpose of directory information is to allow the school and SDCOE to include this type of information from the student's education records in certain school and/or SDCOE publications (*e.g.*, a playbill showing the student's role in a drama production, honor roll or other recognition lists, annual yearbook, promotion/graduation programs, sports activity sheets showing weight and height of team members). Additionally, SDCOE has determined that the following individuals, officials, or organizations may receive directory information:

- Certain school publications
- Outside organizations including, but not limited to, companies that manufacture class rings or publish yearbooks
- Military recruiters
- Post-secondary educational institutions
- Outside governmental agencies

No information may be released to private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. No directory information of a student identified as a homeless child or youth will be released unless the parent has provided written consent that directory information may be released. For all other students, directory information will not be released if their parent notifies the school principal in writing that such information not be disclosed without their prior consent. Parents may submit a *Release of Directory Information* form to opt out, or in the case of a homeless child or youth, opt in, of the release of directory information by the third Friday in September.

Additionally, SDCOE will not include the directory information or the personal information of a student or the parent of a student in the minutes of a meeting of the Governing Board, except as required by judicial order or federal law, if the parent has provided a written request to the secretary or clerk of the Board to exclude their personal information or the name of their minor child from the minutes of a Board meeting.

DUPLICATION OF STUDENT RECORDS

Reference: EC 49063, 49065

BP/AR: 5125 – Student Records

Copies of student records are available to parents at no cost¹. Fees may be waived if it would prevent parental access to the records. Former students may receive up to two transcripts or up to two verifications of their records at no cost.

MAINTENANCE OF STUDENT RECORDS

Reference: 5 CCR 432, 437; EC 49063, 49076.7

BP/AR: 5125 – Student Records

A cumulative record must be maintained on the history of a student’s development and educational progress. Student records are any items of information, whether recorded by handwriting, print, tapes, film, microfilm or other means, gathered within or outside SDCOE that are directly related to an identifiable student and maintained for the purpose of second-party review. Active records are maintained at the student’s school; inactive records are maintained in SDCOE warehouse.

Per state and federal law, SDCOE maintains the following *mandatory permanent records* indefinitely: student’s legal name, date and place of birth, method of verifying birth date, sex, enter and leave date each school year, subjects taken, marks or number of credits toward graduation, verification of or exemption from required immunization, date of high school graduation or equivalent, and parent’s name and address (including the student’s address if different, and the annual verification of residency for both the student and the parent). SDCOE also keeps the following *mandatory interim records* until three years after the student leaves or graduates, or their usefulness has ceased: log identifying persons or agencies who have requested or received information from the student record, health information, information on participation in special education programs, language training records, progress slips/notices, parental authorizations/restrictions/waivers, rejoinders to challenged records, results of standardized tests administered within the past three years, expulsion orders, and independent study evaluation and findings. *Permitted records*, which are records that SDCOE has determined important to maintain, may include, but are not limited to, objective counselor and teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavior patterns, disciplinary notices, and attendance records.

SDCOE will not collect or solicit social security numbers or the last four digits of social security numbers of students or parents, except as required by state or federal law or as required to establish eligibility for a federal benefit program. Additionally, SDCOE will not collect information or documents regarding the citizenship or immigration status of students or their family members, unless required by state or federal law or as required to administer a state or federally supported educational program.

On an annual basis, records that are not designated as mandatory permanent records are reviewed to determine the records that still need to be retained and those that are appropriate for destruction. Records are destroyed in a way that assures that such records will not be available to possible public inspection in the process of destruction.

The District Registrar has been designated as the custodian of records at SDCOE level, and at each school site, the principal serves as the custodian of records for students enrolled at their school. The custodian of records is responsible for implementing the policies and procedures related to student records; in particular, they must protect the student and the student’s family from invasion of privacy by ensuring only authorized persons may access student records.

PROTECTION OF PUPIL RIGHTS AMENDMENT

Reference: 20 USC 1232h; EC 51513

BP/AR: 5022 – Student and Family Privacy Rights; 6162.8 – Research

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- Consent before students are required to submit to 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 student’s parent; or
 8. Income, other than as required by law to determine program eligibility.
- 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 screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- Inspect, upon request and before administration or use –
 1. Protected information surveys of students and surveys created by a third party;
 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 educational curriculum.

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

SDCOE has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. SDCOE will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. SDCOE 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 their child out of participation of the specific activity or survey. SDCOE will make this notification to parents at the beginning of the school year if SDCOE 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 direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint by completing the [PPRA Complaint Form](#) and then either emailing the completed form to PPRA.Complaints@ed.gov or mailing it to: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-8520.

STUDENT RECORDS FROM SOCIAL MEDIA

Reference: EC 49073.6

BP/AR: 5125 – Student Records

SDCOE has adopted a program that gathers and maintains student information obtained from social media. “Social media” is defined as an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet Web site profiles or locations. This program gathers and maintains only information that is directly related to school safety or student safety. Information of a student gathered from social media is destroyed within one year after the student turns 18 years of age or within one year after the student is no longer enrolled in SDCOE, whichever occurs first.

To review, or to request for the correction or removal of, the information that has been gathered from social media and maintained in a student’s record, the student or their parent may submit a written request to the District Registrar at 6401 Linda Vista Rd. San Diego, CA 92111. Access to review any records will be provided within five (5) business days from the day of receipt of the request.

TECHNOLOGY

ELECTRONIC LISTENING AND RECORDING DEVICES

Reference: EC 51512

BP/AR: 1250 – Visitors/Outsiders

The use by any person, including a student, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal given to promote an educational purpose is prohibited. It disrupts and impairs the teaching process and discipline schools. Any person, other than a student, who willfully violates this section shall be guilty of a misdemeanor. Any student violating this section shall be subject to appropriate disciplinary action.

INTERNET SAFETY

Reference: 47 CFR 54.520; 20 USC 7131, 47 USC 254

BP/AR: 6163.4 – Student Use of Technology

An emerging national concern is the inappropriate use of the Internet by students. Across the nation, schools continue to see an increase in negative student behavior as a result of messages written using electronic technology, posted to popular social networking websites. Many sites contain instant messaging components that allow students to chat with other students and to post statements that ordinarily would not be said in a face-to-face conversation. The popularity of these websites has grown.

Unfortunately, some students use the sites to participate in online bullying or to threaten harm to other students. The “cyber bullies” use the anonymity of the Web to hurt others without witnessing the consequences. Students who are bullied online sometimes do not report these occurrences for fear that they will be barred from using the Internet.

Outside of schools, there have been instances of adults, who are child predators and con artists, posing as youths and gaining access to student chat rooms. In some cases, these contacts have led to tragedy. Some unsuspecting students post enough personal information that predators are able to locate students’ home or school addresses, thereby becoming easy targets for predators.

SDCOE shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. To reinforce these measures, rules and procedures are designed to restrict students’ access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Parents should be aware of what their children are writing on the Internet and what others are posting in reply. These websites are public domain, and anything posted there can be seen by anyone who has Internet access. Although most of what is written is not immoral, offensive, or illegal, some of it is. Parents may choose to investigate a site by personally logging onto the site. The services are free, and users may register and join the site by using an email address. Once registered, parents can search by name and email address to see if their child is registered. Search results may be narrowed by entering the name of the city. Parents will then be able to view the kinds of personal information, messages, diaries, and photographs that students post on the site.

Parents should be aware that most social media platforms are required to disclose all cyberbullying reporting procedures in the social media platform's terms of service. They must also have a mechanism within its internet-based service to allow an individual, whether or not that individual has a profile on the internet-based service, to report cyberbullying or any content that violates the existing terms of service.

Parents are encouraged to discuss with their children the potential danger of the Internet and establish rules and guidelines to ensure their safety while on the Internet. For additional Internet safety tips and advice, visit any of the following websites:

- Common Sense Media – <https://www.common sense media.org>
- Connect Safely – <https://www.connectsafely.org/>
- National Center for Missing and Exploited Children – <https://www.net smartz.org/>
- Net Cetera – <https://www.consumer.ftc.gov/features/feature-0002-parents>
- Web Wise Kids – <http://www.webwisekids.org>

SDCOE will continue to provide Internet security within its schools. It is important that parents also monitor Internet use at home.

USE OF SDCOE TECHNOLOGY

Reference: 47 CFR 54.520; 20 USC 7131, 47 USC 254

BP/AR: 6163.4 – Student Use of Technology

The acceptable and unacceptable uses of the San Diego County Office of Education (SDCOE) Juvenile Court and Community Schools (JCCS) technological resources and the Internet are described in this "Student Acceptable Use Policy" for SDCOE JCCS. By signing this agreement, I acknowledge that I have read, understand, and agree to abide by the provisions of the Student Acceptable Use Policy. I understand that any violations of the above could result in the immediate loss of my user account and may result in further disciplinary and/or legal action, including but not limited to suspension or referral to legal authorities. I also agree to report any misuse of SDCOE JCCS network to a school site teacher or administrator. Misuse can come in many forms but can be viewed as any message sent or received that indicates or suggests pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described under the unacceptable uses in this Student Acceptable Use Policy. I realize that all the rules of conduct described in this policy as well as other guidelines apply when I am using SDCOE JCCS network.

USE OF MOBILE COMMUNICATION DEVICES

Reference: EC 48901.5, 48901.7

BP/AR: 5131.8 – Mobile Communication Devices

The use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being but could be disruptive of the instructional program in some circumstances. In fact, there is growing evidence that unrestricted use of smartphones by students during the school day interferes with the educational mission of the schools, lowers student performance, promotes cyberbullying, and contributes to an increase in teenage anxiety, depression, and suicide.

Although students cannot be prohibited from possessing or using a mobile communication device under any of the circumstances listed below, SDCOE has adopted a policy in restricting the possession and use of smartphones at school and while under the supervision of school personnel:

- In the case of an emergency, or in response to a perceived threat of danger

- 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
- When a licensed physician or surgeon determines that possession or use is necessary for the student's health and well-being
- When the possession or use is required by the student's individualized education program or Section 504 plan

Additionally, smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person. When used in an unauthorized manner, the device may be confiscated and/or searched according to law and policy, and the student may be subject to discipline. A student may also be subject to discipline for use of a mobile communication device off school grounds if it poses a threat or danger to the safety of students, staff, or SDCOE property or substantially disrupts school activities.

SDCOE is not responsible for the loss, theft, or damage of a student's mobile communication device which is brought onto school grounds or to a school activity.