



**2025-2026**

***District Handbook  
&  
Annual Notifications***

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***Mission***

*We foster a connected community of belonging and equity through innovative learning, meaningful engagement, and a commitment to every student's success.*

***Vision***

*\*Community \* Equity \* Success*

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**PLEASE Fill-OUT AND RETURN THE FORMS INCLUDED TO THE SCHOOL  
AS SOON AS POSSIBLE**

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## SCHOOL TO HOME COMMUNICATION

MPESD School Leaders communicate with families through email, phone calls and text blasts as well as Facebook. In case of an urgent situation direct communication will be done through the District automated system. The District website, [mpesd.org](http://mpesd.org), will be used to post any necessary updates. The [mpesd.org](http://mpesd.org) website as well as the District, @mountpleasantesd and School Facebook pages are updated frequently with new information.

**It is important to notify the school office if your phone number or email change**

School	Address & Phone	Contact	Email Contact
August Boeger Middle School	1944 Flint Avenue, 408 223-3770	Principal: Ms. Topete School Secretary: Ms. Meza	<a href="mailto:rtopete@mpesd.org">rtopete@mpesd.org</a> <a href="mailto:nmeza@mpesd.org">nmeza@mpesd.org</a>
Ida Jew Academy STEAM & Valle Vista Elementary	1966 Flint Avenue, 408 223-3750	Principal: Dr. Alvarado School Secretary: Mrs. Griffin	<a href="mailto:aalvarado@mpesd.org">aalvarado@mpesd.org</a> <a href="mailto:cgriffin@mpesd.org">cgriffin@mpesd.org</a>
Mt. Pleasant Elementary & Ida Jew Academy- Dual Immersion	14275 Candler Ave 408 258-6451	Principal: Mr. Rodriguez School Secretary: Mrs. Ortega	<a href="mailto:giorodriguez@mpesd.org">giorodriguez@mpesd.org</a> <a href="mailto:lortega@mpesd.org">lortega@mpesd.org</a>
Robert Sanders Elementary	3411 Rocky Mtn. Dr. 408 258-7288	Principal: Ms. Conover School Secretary: Mrs. Garcia	<a href="mailto:trconover@mpesd.org">trconover@mpesd.org</a> <a href="mailto:cgarcia@mpesd.org">cgarcia@mpesd.org</a>

## POINTS OF CONTACT

WHERE	AREA	CONTACT INFORMATION
Front Office Support	Enrollment, Grades, Student Records, Attendance, Instructional Support	School Secretary & Principal
Instructional Support	Scheduling, daily lessons, Student Progress, Intervention	Classroom Teacher Principal, Special Ed Case Manager
Technology	Technology, devices, technology issues,	<a href="mailto:ITHelpDesk@mpesd.org">ITHelpDesk@mpesd.org</a> 408 223-3724
Health	Immunizations, Health Conditions, Vision Screenings, School Health Plan, Medication	District Nurse, School Health Clerk Contact School Office
Student Support Services 408 223-3740	Special Education, Student Records, Foster Youth, Homeless Students, , Title IX- students, Section 504, Preschool Services	Mrs. Breton, Director, <a href="mailto:lbretton@mpesd.org">lbretton@mpesd.org</a> Ms. Fernandez, Administrative Secretary, <a href="mailto:afernandez@mpesd.org">afernandez@mpesd.org</a> Mrs. Tejada, UPK Coordinator, <a href="mailto:jtejada@mpesd.org">jtejada@mpesd.org</a>
Family Case Managers School Office	Referrals to community-based organizations, Second Harvest Foodbank, Support finding community resources,	Contact your School Office for additional assistance
Behavioral Health Support	Issues such as: Stress, Depression & Suicide, Violence and Abuse, Grief, Anxiety, Peer Relationships, and Cultural Adjustment	Family Case Managers, contact school office or <a href="http://mpesd.org">mpesd.org</a>
Curriculum & Instruction English Language Learner Program 408 223-3785	Curriculum, Text Books, LCAP  Assessments, English Language Development (ELD), Migrant, Preschool,	---Director, Curriculum & Instruction Mrs. Marqueda, Admin Sec. <a href="mailto:Imarqueda@mpesd.org">Imarqueda@mpesd.org</a>
Extended Day Programming MPAS	MPAS After School Programs, Extended Program Tutoring, Grant, Robotics Sunrise program	Mr. Patton, Afterschool Coordinator <a href="mailto:dpatton@mpesd.org">dpatton@mpesd.org</a> Ms. Kattenhorn, Extended Learning Coordinator <a href="mailto:lkattenhorn@mpesd.org">lkattenhorn@mpesd.org</a>
Personnel 408 223-3720	Staff Recruitment, Staff Evaluations, Qualifications, Title IX Coordinator-Staff, Credentials, Employment Verification	Dr. Jewett, Director Personnel <a href="mailto:sajewett@mpesd.org">sajewett@mpesd.org</a> Mr. Darling, Personnel Specialist <a href="mailto:jdarling@mpesd.org">jdarling@mpesd.org</a>
Food Services 408 223-3713	Free & Reduced Lunch Applications, Student Meals	<a href="mailto:Foodservices@mpesd.org">Foodservices@mpesd.org</a>
School Facilities 408 223-3763	Facilities, report vandalism, School Maintenance, Facility Use Agreement	Mrs. Gill, Admin Assistant, <a href="mailto:tgill@mpesd.org">tgill@mpesd.org</a>
Superintendent's Office 408 223-3710	Inter-Districts/Intra-Districts, Uniform Complaint Procedures (UCP), Governing Board Support, Community Support	Dr. MacArthur, Superintendent <a href="mailto:emacarthur@mpesd.org">emacarthur@mpesd.org</a> Ms. Le, Confidential Secretary <a href="mailto:fle@mpesd.org">fle@mpesd.org</a>



**Mt. Pleasant School District Board of Trustees**  
**Antonio Perez, Jr.**  
**Brenda M. Serrano**  
**Melissa Got-Lopez**  
**Derek Grasty**  
**Robert Ramirez**

**Dr. Elida MacArthur, Superintendent**

Welcome to the 2025–26 Academic School Year!

My name is Dr. Elida MacArthur, and I am honored to serve as the Superintendent of the Mt. Pleasant Elementary School District (MPESD). As we begin a new school year, I want to extend a warm welcome to you and your student(s). Our staff is excited to partner with you in fostering a connected community of belonging, equity, and academic excellence.

At MPESD, we remain committed to cultivating a learning environment where every student, family, and staff member feels seen, heard, and valued. This year marks the launch of our newly adopted **MPESD Strategic Plan**, developed in collaboration with students, staff, families, and community partners. Rooted in our **core values**—Dedication, Community, Equity, Empowering Success, and Wellness—this plan will guide our work over the next several years.

Our strategic directions shape how we support your children’s growth:

- **Academic Achievement:** We are expanding innovative and engaging programs that challenge students and inspire curiosity.
- **Equity and Inclusion:** We will continue fostering an inclusive learning environment where every student has the tools and opportunities to thrive.
- **Community Engagement:** We are deepening partnerships with families and the broader community to uplift student success.
- **Student-Centered Support:** We will provide differentiated support to meet each student’s academic, social-emotional, and physical needs.
- **Future-Ready Preparation:** We are preparing students with the leadership, compassion, and skills needed for a rapidly evolving world.
- **Educator Preparation:** We’re investing in ongoing professional development to ensure every student benefits from high-quality teaching.
- **Modern Community Hub:** We are planning and investing in sustainable, safe, and innovative facilities that serve our entire community.

As our educational partners, we appreciate your continued support in fostering a thriving school culture. You can support this work by:

- Monitoring and limiting screen time at home.
- Creating consistent sleep routines by removing devices from bedrooms at night.
- Ensure that students attend school regularly and on time. Ensure that students attend school regularly and arrive on time. When students miss school, they can fall behind in their learning. They might also have a harder time making friends and joining in class activities, which can make learning even more challenging.
- Staying involved in your child’s school life and reaching out to teachers or administrators when support is needed.

Together, let’s make the 2025–26 school year one filled with purpose, belonging, and joyful learning.

**In partnership,**

Elida MacArthur, Ed.D.  
Superintendent

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## MT. PLEASANT SCHOOL DISTRICT (MPESD) INFORMATION

District Website: <https://www.mpesd.org/>

Facebook: @mountpleasantesd

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### GENERAL BOARD POLICY STATEMENT

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The Board is committed to open and equal program access for all students except in situations where State or Federal regulations restrict access. The District provides differentiated curriculum opportunities for students with special interests and talents and access to such opportunities exists for all students. The District informs and encourages all students about special programs, and ensures that all students who participate in core programs are adequately supported.

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### BOARD OF EDUCATION

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Melissa Got-Lopez

Derek Grasty

Antonio Perez Jr.

Brenda Serrano

Robert Ramirez

Dr. Elida MacArthur Superintendent

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Board meetings are held monthly on Wednesday evenings at 6:00 p.m. Please see the MPESD.org website for calendar dates.

### **NOTICE TO PARENTS - RIGHTS AND RESPONSIBILITIES**

The California E.C. (Section 48980) requires school districts to notify parents, yearly, of their rights and responsibilities. Notification must be provided in English and the native language of parent when fifteen percent of the students enrolled at a school speak that native language as their primary language [EC 48985]. As a parent, you have a right to participate in open meetings with the school district or charter school. If you require a translator, one will be provided to you with the time allotment doubled to allow for both English and primary language translation.

### **STUDENT CALENDAR -MINIMUM AND STUDENT FREE STAFF DEVELOPMENT**

The school calendars are included with this annual notification. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school will notify parents and guardians of affected pupils as early as possible, with at least one-month advanced notice.

### **IMPORTANCE OF STUDENT ATTENDANCE**

Making sure your child attends school daily helps ensure success in school and a good future! Regular daily attendance is the number one thing you can do to help your child be successful in school. Please help with daily school attendance by developing good attendance habits; unless sick or an excused reason make sure your child attends school, even if late, build a positive attitude about school, set a regular nightly bedtime, communicate any concerns to your child's teacher or principal and stay involved with your school. Every school day and each grade level is important, good attendance in TK and Kinder are essential building blocks to follow routines, learning to read and work with others, Each grade builds on the grade before so please try and schedule appointments and vacations outside of the school day/year.

### **RIGHTS OF PARENTS TO INFORMATION, MUTUALLY SUPPORTIVE PARTNERSHIP BETWEEN PARENTS AND EDUCATORS**

Parents and guardians have the right to be informed by the school and to participate in the education of their children, as follows; to observe classrooms as specified, within a reasonable time of their request to meet with teachers and the principal, to volunteer their time and resources, to be notified in a timely manner if their child is absent from school without permission, to receive the results of their student's performance and the performance of the school on standardized tests, to have a school environment that is safe and supportive, to examine the curriculum materials of their student's classes, to be informed of their student's progress in school, and to receive information about the academic performance standards, proficiencies or skills their student is expected to reach. [EC 48980, AB 2524, ch296]

## **MOUNT PLEASANT SCHOOL DISTRICT GOVERNING BOARD EQUITY STATEMENT**

**The Board has one goal and one purpose:** To provide educational equity for students to access what they need to develop their full academic and social potential. Educational equity means that the Board supports systems and policies that ensure that all students experience:

- standards-based, content-rich, culturally affirming curriculum; removing the predictability of success or failure that currently correlates with any social, cultural, or racial factor
- a learning environment that models an anti-racist, compassionate, and inclusive school culture that fosters positive identity through belonging, purpose, and agency; interrupting inequitable practices, examining biases, and creating inclusive multicultural school environments for adults and children, and
- opportunities to discover and cultivate every human's unique gifts, talents, and interests.

## **CUSTODY ISSUES- PARENTAL**

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

## **ENGLISH LANGUAGE LEARNER EDUCATION**

Parents must be informed annually of the placement of their child in a structured English Immersion program and to request a waiver. Parents may contact the school Principal regarding the process for obtaining a waiver. [EC 310,311; 5 CCR 11309]

## **ENGLISH LANGUAGE LEARNER ASSESSMENT TESTING (ELPAC)**

All students who are English Language Learners are required to be re-assessed annually to determine language proficiency. Parents have the right to be notified of the results of the assessment. Results are required to be given orally when there is reason to believe they may not be understood in written form. [EC52164.3]

## **STUDENT SUCCESS TEAM (SST)**

The Student Success Team (SST) is a problem-solving committee that assists students, families, and teachers. It provides an opportunity for school staff, parents, and community agencies to present their concerns about individual students and through discussion and study, to plan a positive course of action and monitor results. The philosophy of the SST is based on the belief that the school, home, and community need to work together to assist the student. Examples of the types of support the team might recommend include: suggestions for the classroom teacher, assistance in the classroom by resource personnel, program referrals and referrals to community resources.

## **SPECIAL EDUCATION**

Students with disabilities may be eligible to receive special education and related services. These services are based on assessments and determined by an Individualized Education Program (IEP) team, which includes the student's parent(s). Special education services are designed to meet the unique educational needs of students with disabilities and are provided at no cost to parents. To the maximum extent appropriate, students with disabilities are to be educated with their nondisabled peers in the general education environment. The general education classroom with all appropriate supplementary aids and services where the student has the greatest opportunity to be integrated with their nondisabled peers is the first educational setting for an IEP team to consider. This information provides parents, legal guardians, and surrogate parents of children with disabilities from birth through age 22 with their educational rights, called procedural safeguards.

This information is the Notice of Procedural Safeguards as required under the Individuals with Disabilities Education Act (IDEA), a federal law that requires school districts to provide a free, appropriate public education to eligible children with disabilities. A "free, appropriate public education" means special education and related services are to be provided as described in an individualized education program (IEP) and under public supervision to your child at no cost. Parents can refer their child for special education and related services and participate in decision-making meetings regarding the child's assessment, identification, educational placement and services. Specifically, parents have the right to participate in the development of the IEP and to be informed of the availability of all program options.

Parents of school-age children who suspect their child may have a disability and who may need special education services should contact the site administrator. Parents of non-enrolled preschool-age children who suspect their child may have a disability should contact Student Support Services at (408) 223-3740.

### **CHILD FIND**

Under state law, each public school system is responsible to find children with disabilities in its area Free Appropriate Public Education (FAPE) - Each public school system is responsible for ensuring that each child with disabilities is served appropriately, at no expense to the parent in the least restrictive environment. [EC 56301; 20USC1401(3); 1412(a)(3); 34CFR300.111(c)(d)]

### **STUDENTS WITH DISABILITIES UNDER SECTION 504 OF THE AMERICANS WITH DISABILITIES REHABILITATION ACT**

The Americans with Disabilities Act is a federal civil rights law that prohibits discrimination against individuals with disabilities in programs and activities. Discrimination, harassment, intimidation, and/or bullying on the basis of their actual or perceived disability will not be tolerated. The District will promptly investigate any complaints of disability-based discrimination, harassment, intimidation and/or bullying, and take reasonable actions to stop future incidents. The District has specific responsibilities related to the provision of a Free Appropriate Public Education (FAPE) to school age individuals with disabilities under Section 504. The District is required to provide a program designed to provide equal access to the educational program and activities for students with disabilities as adequately as that provided for students without disabilities. For students who are not eligible for special education services, but meet the federal definition of persons with disabilities under Section 504, a Section 504 Plan may be developed which indicates the accommodations, supplementary aids and/or services that will be provided to assist the student in accessing the general education program. Section 504 must provide nonacademic and extracurricular services and activities in a manner that ensures that individuals with disabilities have an equal opportunity to participate. Parents or Guardians with concerns should contact the site Principal. ADA Coordinator Students: Laurie Breton, 408 223-3740, [lbretton@mpesd.org](mailto:lbretton@mpesd.org).

### **HOW TO SUPPORT STUDENTS WITH IEPS & 504 PLANS**

Review the listed Accommodations & Modifications in your student's IEP or 504 Plan. If you have any questions notify your student's Case Manager or Principal. Talk with your student's teacher(s) about what the accommodations and modifications in the plan will look like in class. Communicate early about any concerns. At any point in the school year, if you feel any of your student accommodations and modifications are not being followed, notify your Student's Special Education Case Manager or Principal.

Notify your student's Case Manager if your student is struggling or having difficulty keeping up with instruction. Your Case Manager can help with developing and maintaining good study habits (e.g., note taking, time management, test preparation), and coaching students in how to effectively communicate their learning needs to their teachers or look at possible changes needed in the Plan

### **INSTRUCTIONAL USE OF ANIMALS**

Pupils have the right to refrain from the harmful or destructive use of animals in their classes. A student's objection to participating in an educational project shall be substantiated by a note from his or her parent or guardian. The teacher of such a pupil may work with the pupil to develop and agree upon an alternative education project. The student shall not be discriminated against based upon his or her rights to refrain. [EC 32255]

## **ENROLLMENT/REGISTRATION**

The parent or guardian of a student enrolling in the District must be present to complete the necessary enrollment papers and obtain the student's school assignment. Making an appointment with the Office is recommended.

The following documentation is necessary to enroll:

- a. Verification of legal residency within the District. Note: Post Office Boxes are not acceptable as addresses for enrollment. *Falsification of addresses may result in the disenrollment of a student. Not Applicable to Ida Jew Academy*
- b. Verification of the appropriate inter-district transfer agreement, if applicable.
- c. Updated Student Immunization record.
- d. Certification of student's birth date.
- e. Grades and transcript from previous school when feasible.

These conditions may be waived for students that are identified as homeless or in foster care

## **EDUCATION OF FOSTER YOUTH**

In addition to having priority access to certain services, Foster Youth have specific rights including;

- Stable school placements in the least restrictive education programs.
- the right to remain in the school of origin and the right to matriculate with his or her peers.
- Immediate enrollment in the school of origin or school where the foster youth is currently residing,
- Proper and timely transfer between schools.
- No lowering of grades if the foster youth is absent from school due to a decision by a court or placing agency to change his or her placement, or due to a verified court appearance or related court ordered activity.
- Invitation extended to the foster youth's attorney and representative from the county child welfare agency, attorney, social worker and the child's tribal social worker, if applicable, to attend the extension of suspension meeting, the manifestation determination meeting (if applicable), and the expulsion hearing related to a disciplinary proceeding involving the foster youth.
- File a complaint of noncompliance with the local educational agency under the Uniform Complaint Procedures.

If you have questions about Foster Youth Rights or need support please contact the Family Case Manager at your school site, or the District Foster Youth Liaison, Mrs. Laurie Breton at 408 223-3740 [EC 48850, 48911, 48915.5, 49069.5, 51225.1, and 51225.2]

## **EDUCATION OF HOMELESS YOUTH (MCKINNEY-VENTO)**

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all "homeless" school-aged children to the same free and appropriate public education that is provided to non-homeless students. The Federal definition of a homeless student is defined as a person between the ages of six to eighteen who lacks a fixed, regular, and adequate nighttime residence and may: Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings, Live doubled-up with another family, due to loss of housing stemming from financial problems (e.g., loss of job, eviction or natural disaster), Live in a hotel or motel, Live in a trailer park or campsite with their family, Have been abandoned at a hospital, Reside in a home for school-aged, unwed mothers or mothers-to-be if there are no other available living accommodations; or Be a migratory or abandoned, runaway, or pushed out youth that qualifies as homeless because he/she is living in circumstances described above. Students are identified through the Student Residency Questionnaire that is required to be included in every enrollment packet. Families self-identify their current living situation. Parents can self-identify with the Residency Questionnaire at any time during the school year at the school site or directly to Student Support Services. If you believe your student(s) may qualify as Homeless, please contact the Family Case Manager or School Secretary for your school site. District Liaison, Mrs. Breton at 408 223-3740, for more information of services and policies related to homeless education rights. [EC48850 & USC 11432]

## **BEFORE & AFTER SCHOOL AND INTERSESSION PROGRAMS**

The Mt. Pleasant After School Education and Safety Program serves pupils in TK-8<sup>th</sup> grade at each school and is on a priority, then first come, first served basis. The students who are identified as homeless and foster students are given top priority for enrollment followed by English learners and students eligible for a free or reduced meal. Students placed in foster care and students experiencing homelessness are granted priority access for intersession. If the student moves during an intersession period, the student's parent, legal guardian, educational rights holder, or Indian custodian in the case of an Indian child, or, an unaccompanied homeless youth shall determine which school the student will attend for intersession. [EC 48850, 8482.6, 8483, 8483.1]

## **STUDENT PROGRESS**

The Mt. Pleasant Elementary School District has prescribed regulations requiring the evaluation of each student's achievement for each grading period. A parent conference or written report is required when it becomes evident to the teacher that the student is in danger of failing a course. The refusal of the parent to attend the conference or to respond to the written report shall not preclude failing the pupil at the end of the grading period. [Ed. Code 49067]

## **GRADES**

The grade given to each student shall be determined by the teacher in accordance with District Policy and Administrative Regulations, and in the absence of mistake, fraud, bad faith, or incompetence, the grade shall be final. Failure to wear standardized physical education apparel shall not adversely affect the student's grade, if the failure to wear such apparel is beyond the student's control. [EC 49066] No Student shall have his or her grade reduced or lose academic credit for any excused absence for missed assignments or tests that can reasonably be provided and completed. [EC48980(k)]

## **CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)**

CAASPP is the state's system of mandated and optional assessments. It currently includes three types of mandated tests: Smarter Balanced Assessments, California Alternate Assessments (SBAC), and California Science Assessments. The SBAC are in English language arts and mathematics for grades 3 through 8. For students with disabilities, the student's IEP team, including the parent, determines the student's test participation and any necessary accommodations.

For more information on CAASPP, visit <http://www.cde.ca.gov/ta/tg/ca>. California allows a parent to annually submit a written request to school officials to exclude his or her child from any or all parts of state-mandated assessments.

## **SCREENING FOR RISK OF READING DIFFICULTIES**

Students in grades k-2 shall be screened for risk of reading difficulties. If enrolled after the screening student will be screened within 45 calendar days of enrollment unless:

1. The student's parent/guardian opts out of the screening in writing
2. There is documentation that the student has already been screened at their prior school

Students who do not speak sufficient English shall be screened in their primary language if available in their primary language. Once a student acquires sufficient English language fluency they will be assessed using the district's screening instrument.

A student may be exempted if the parent/guardian provides prior written consent and the student meets any of the following criteria:

1. Has a current diagnosis of a reading difficulty, reading disorder, or other disability
2. Is eligible for special education and related services
3. Is in the process of being assessed for eligibility for special education and related services.

Parents shall be informed, no later than 15 calendar days before administration of the screening instrument(s), with information about the screening, the date(s) of the screening and instructions on how they can opt out of their child's screening.

## **MIGRANT ED**

The Mt. Pleasant Elementary School District offers supplemental services to the children of migratory workers under the California Migrant Education Program. Both educational and family services are provided. These services can include case management services, medical and dental screening/referrals, and a monthly food distribution program. If you think your child(ren) may be eligible for this program or if you have any questions, please call, 223-3734. Students who are identified as a "migrant child" in grades TK-6 may be allowed to enroll in two public schools during summer, winter, intersessions- both the school in which they last attended and the next attended school to be entered upon the migration with parents from one agricultural work site to another. Participation is voluntary and requires parent permission. [EC41601.6]

## **PARENT'S RIGHT TO REQUEST TEACHER QUALIFICATIONS (TITLE I SCHOOLS)**

If your child is attending a school receiving Title I federal funds, Federal Law requires that parents be notified of their right to know the professional qualifications of their child's teacher(s) in core academic subject areas, including the following:

1. The type of state credential or license that the teacher holds. Some teachers will have credentials in a particular subject area, such as English and others will have a multiple subject credential..
2. The education level and subject area of the teacher's college degree(s). All teachers have a bachelor's degree, and many teachers have graduate degrees beyond the bachelor's, such as a master's or doctoral degree.
3. In addition to the qualifications of the teacher, if a paraprofessional (teacher's aide) provides your child services, you may also request information about his or her qualifications. Many paraprofessionals have two years of college and others have passed a test that verifies their qualifications.

If you would like to request this information, please contact Dr. Sandra Jewett, Human Resources Office at 408-223-3745.

## **AVAILABILITY OF PROSPECTUS**

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Please contact Carlene Valenti, at 408 223-3730, for a copy. [EC 49063, 49091.14]

## **CLASSROOM OBSERVATIONS & PARENT VISITATIONS AT SCHOOL**

Parents are welcome at our schools. We ask for a twenty-four-hour notice of classroom visitations. The Principal may waive the notice requirement. The Principal or administrator will make the final decision on the time and duration of the visit. All visitors must go to the school office to register their presence on campus, obtain a visitor's pass before going on campus, and adhere to any health and safety procedures. Unauthorized persons are prohibited from entering or remaining on school grounds. Visitations may not interfere with instruction. If court-restraining orders exist which limit a parent's access to visiting his/her child or receiving information about the child's school progress, it is the responsibility of the custodial parent to provide the school Principal with a copy of such an order. Special Education classes have different guidelines based on student confidentiality, disruption of services and the need for an escort. Please schedule observations in advance.

## **VOLUNTEERS: PARENTS/ GUARDIANS**

Opportunities exist for committee membership and volunteers at both the school and district level. Parent/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parent/guardians to develop meaningful opportunities for parents/guardians to be involved in district and school activities; advisory, decision-making and advocacy roles and activities to support learning at home. All volunteers interacting with students, including field trip chaperones are required to have fingerprint clearance prior to volunteering. Each school determines specific volunteer activities. Please contact your school principal for additional information.

## **CIVILITY ON SCHOOL CAMPUSES AND DISTRICT FACILITIES**

The District promotes mutual respect, civility and orderly conduct among MPESD employees, parents, and the public. This policy is intended to the extent possible and reasonable to maintain orderly educational and administrative processes, keeping all educational facilities and administrative offices free from disruptions and preventing unauthorized persons from entering school grounds. Employees of MPESD are expected to treat parents and members of the community with respect and expect the same in return. Any person who willfully disturbs any public school or any public-school meeting is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500). It is unlawful for any person to intentionally or to attempt to injure, intimidate, interfere by force, threat of force, physical obstruction, or nonviolent physical obstruction with any person attempting to enter or exit any public-school grounds. [CC 1708.9; EC 32210]

### **DISRUPTION IN A PUBLIC SCHOOL OR SCHOOL MEETING**

Any person who willfully disturbs any public school or any public-school meeting is guilty of a misdemeanor. The Principal may direct the person to leave the campus or facility. If that person fails to do so or if the person willfully and knowingly reenters the school within seven days after being directed to leave, he or she is guilty of a misdemeanor and shall be punished as follows:(1) Upon a first conviction, by a fine of not more than five hundred dollars (\$500), by imprisonment in the county jail for a period of not more than six months, or by both that fine and jail. [EC32210/ PC 626] The District retains the right to file charges against any individual disrupting the safe and orderly operation of the school or acting in a threatening manner towards staff or students.

### **PHYSICAL EDUCATION REQUIREMENT**

Every student is required to take physical education unless he/she is legally exempt for health/medical reasons. State Physical Education testing is conducted in grades five and seven. Elementary students in grades 1 through 6 receive physical education instruction for a total period of time of not less than 200 minutes each 10 school days, exclusive of recess and lunch period. [EC 51210(g)]

### **ACADEMIC COUNSELING - EQUITY IN CAREER PLANNING**

Commencing grade 7, school personnel may assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions. [EC221.5(d)]

### **GRADE LEVEL PROMOTION POLICY**

Any decision to retain a student must take the student's progress, needs and research on the effectiveness of retention into account. No student may be retained solely on the basis of English language proficiency. No student receiving Special Education may be retained without an Individual Education Plan (IEP) recommendation. Please contact your site Principal if you are concerned about the possibility of retention or the need for additional learning supports for your child.

### **CLASSROOM MATERIALS POLICY**

Board approved core content area textbooks for all K-8 students are provided. Public informational hearings are held as new programs are adopted. When parents have a concern regarding supplemental classroom materials, the following process allows for their input: 1) the parent discusses nature of concern with the teacher. If the issue remains unresolved, 2) the parent completes a Request for Reconsideration of Instructional Materials and submits it to the Principal. 3) The Principal speaks with the appropriate personnel. If the parent concerns are not resolved at the site, the Principal forwards the parent request form to the Director of Instructional Services. The Director appoints a Designee that includes parents to review the questioned materials. Recommendations are reported to the Director and the Board of Education for final resolution. [EC 48302]

### **SCHOOL ACCOUNTABILITY REPORT CARD (SARC)**

Each school annually completes a School Accountability Report Card (SARC). The SARC contains information for parents regarding, school performance, teacher assignments, school materials, student attendance, and school safety. The SARC can be obtained through the district website [mpesd.org](http://mpesd.org). Parents may also request a copy of the SARC by contacting the school. [ED 35256, 35258]

## **TECHNOLOGY AND INTERNET ACCESS – Acceptable Use**

One of the goals of MPESD is to assist in advancing the use of technology to enhance student learning. Access to technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using District resources. The District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability. Parents will be charged for loss or damage of technology per Agreement.

## **PARENT ORGANIZATIONS - DISTRICT COMMITTEES**

### **SCHOOL SITE COUNCIL (SSC) – Please contact your school Principal if you are interested on serving on a Committee**

The SSC is a decision-making group of parents, community members and school staff at each school site. The SSC is required to help develop a *Single Plan for Student Achievement*. The council must recommend the proposed Plan to the Governing Board for approval, monitor the Plan's implementation and evaluate the results. The SSC reviews the school site budget annually and helps establish a new budget.

### **DISTRICT ENGLISH LEARNERS ADVISORY COMMITTEE (DELAC)**

The District English Learners Advisory Committee meets to advise the District governing board regarding District goals and objectives, and to assist in developing a district plan for English learners. Call 223-3783 for further information.

### **SPECIAL EDUCATION COMMUNITY ADVISORY COMMITTEE (CAC)**

The Special Education Committee members are parents of Special Education students living in our special education local plan area (SELPA) and teachers, and administrators. The CAC meets monthly to review the effectiveness of Special Education Programs, plan training and review the Local Plan. Call 223-3740 for further information.

### **DISTRICT LCAP ADVISORY COMMITTEE**

LCAP Committee meets during the school year to monitor the implementation of the District's Local Control Accountability Plan (LCAP) and advise on the annual updates. Call 223-3783 for further information.

## **HEALTHY YOUTH ACT- COMPREHENSIVE HEALTH/HIV/AIDS PREVENTION ACT**

California Healthy Youth Act requires school districts to provide pupils with integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education at least once in middle school and once in high school. It is intended to ensure that pupils in grades 7-12 are provided with the knowledge and skills necessary to: 1) protect their sexual and reproductive health from HIV, other sexually transmitted infections, and unintended pregnancy; 2) develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family; and 3) have healthy, positive, and safe relationships and behaviors. It also promotes understanding of sexuality as a normal part of human development.

Parents or legal guardians 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.
3. Request a copy of E.C.s 51930 through 51939, the California Healthy Youth Act.
4. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants.
5. Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.
6. When the district 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,

and b) The name of the organization or affiliation of each guest speaker. [EC 51930-51939]  
The District may administer to pupils in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behavior and risks, including tests, questionnaires, and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Parents or legal guardians will be notified in writing about the administration of, the right to review, and the right to excuse their child from any test, questionnaire, or survey.

### **EDUCATIONAL EQUITY: GOVERNMENT INSTRUCTION CONFERENCES**

The Sex Equity in Education Act exempts any discrimination based on male or female identity for pupils who seek to participate in state or national conferences, therefore, furthering California's goal of providing an equal educational opportunity to all students by prohibiting the use of public resources when a program discriminates based on gender. [EC 224]

### **RESIDENCY REQUIREMENTS**

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located. A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; a pupil residing in a state hospital located within the boundaries of the school district; or a pupil whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The District may investigate residency through mail, home visits and personal contact.

### **MOVING OUT OF THE DISTRICT**

When parents move, they must inform the school as soon as possible. Verification of new address must be provided. For parents who move out of Mt. Pleasant School District boundaries an approved inter-district transfer will be required in order to allow a student to continue attending school in the Mt. Pleasant School District. Students without an approved transfer will be dropped from enrollment within ten days.

### **SCHOOL ENROLLMENT and TRANSFER WITHIN MPESD** *(Does not apply to Ida Jew Academy)*

Students will be assigned to their requested school, including their resident school, on a space available, first come, first served basis at the discretion of the principal. If space is not available, the student will be placed at another school within the District. Parents of elementary students who are attending District schools will be permitted to apply for a transfer from one school to another. Transfer request forms are available at each school.

### **TRANSFERS - OTHER**

- Voluntary adjustment transfer when there is a compelling reason to do so for extenuating personal or social problems.
- Voluntary transfer to a school or program of choice within the District
- Involuntary Administrative transfer for disciplinary reasons.

### **TRANSFERS – OUT OF DISTRICT /INTERDISTRICT**

Students may apply to transfer to another school district for last year privilege (grades 5 or 8), specific program offering not available in Mt. Pleasant School District (K-8), parental employment (K-5), or child care (K-5). Applications are available through the Superintendent's office. Inter-district applications must be approved annually. A student who has been determined by personnel of either the school district of residence or the district of proposed enrollment to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for an interdistrict transfer.

### **STUDENT RECORDS:**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the

privacy of such records. Parents/guardians have the right to 1) inspect and review the pupil's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access pupil records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a pupil seeks or intends to enroll, the District shall disclose educational records without parental consent. Parents' request to access their pupil's educational records must be submitted in a written form to the school secretary or Office of Student Support Services, and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of pupil records are available to parents for a fee of \$.05 per page. A parent with financial hardship shall complete form indicating hardship and shall be provided one copy at no charge annually.

### **Right to Challenge Records**

A natural parent; an adoptive parent; legal guardian; adult student; or if the parents are divorced or legally separated only the parent having legal custody of the pupil, may challenge the content of a record, offer a written response/rebuttal to a record or consent to release the record to others. Any challenge to school records must be submitted in writing to the school Principal. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the pupil. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605. [EC 49064,49076,49091.14]

### **Directory Information**

Directory information includes one or more of the following items: Student's name, address, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received and the most recent school attended by the student. Parent may deny release of directory information by notifying District. [Ed. Code 49073]

### **Maintenance of Records**

A log shall be maintained for each student's record that lists all persons or organizations requesting or receiving information from that record. Requests to access the log should be directed to the school Principal. [EC 49064]

### **RELEASE OF RECORDS**

A school district may permit access to student records by a specific person if the parent has filed written consent specifying which records to be released and identifying the person to whom the records may be released. The recipient must be notified that further transmission of records is prohibited. The consent notice shall be permanently kept with the pupil's record file. [EC 49075]

### **Release of Statistical Data**

A school district may release statistical data when this would be in the best interests of student provided that no student is identified. [EC 49074]

## **FOOD SERVICES BREAKFAST & LUNCH PROGRAM**

Public schools and charter schools serving students in grades TK-12 are required to provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free or reduced-price meal eligibility. Districts and charter schools will still require parents to submit an application to determine eligibility and remain in compliance for accounting purposes. Schools serving grades 1-6 will serve breakfast or a morning snack to non-school aged children with a guardian present. [EC49510,4932]

**Please complete, sign and return the application as soon as possible to the School Secretary.** More detailed information on how to apply and the Income Eligibility Guideline are located on the application. If you have any questions please contact: Food Services at 223-3713 or 223-3749.

### **PARENTAL FINANCIAL LIABILITY**

While a student is accountable for his/her willful acts of misconduct, parents are financially responsible for damage and injury caused by their child's misconduct. Whenever a student damages, defaces or steals any

school district property the parents or guardians of that student shall be liable for restitution. This same liability will prevail even if the damage or loss was not intentional, but resulted from other negative or inappropriate behavior not acceptable on District property. The parent or guardian of a student shall be liable to the school district for all property belonging to the district loaned to the student and not returned upon demand, including technology checked out to the student. Parents may be held financially liable for damages up to \$10,000 and shall also be liable for the amount of any reward not exceeding \$10,000. [Ed. Code 48904]

### **RESTITUTION FOR LOST OR DESTROYED SCHOOL PROPERTY**

Student grades, diplomas, and transcripts may be withheld from students and parents when a student has damaged, destroyed or not returned loaned property of the District and restitution has not been made. The records are withheld from the student and parent, but cannot be withheld from a requesting school. [EC 48904]

### **LOST OR CONFISCATED PERSONAL ITEMS**

Mt. Pleasant School District shall not assume responsibility for theft, loss or damage to any items, electronic or otherwise confiscated, i.e., phones, gaming devices, etc. Parents allowing a student to bring a cell phone or other electronic device accept the financial responsibility of such items that are lost, damaged or stolen.

### **STUDENTS' SAFETY BEFORE AND AFTER SCHOOL**

Parents may not drop students off at school prior to 30 minutes before the start of school, unless the student is involved in a supervised school program. Parents are to arrange to have their student picked up right after school unless the student is involved in a regular school program or is staying at the request of school personnel. It is the school's responsibility to contact the parent when the school wishes to have the student remain after school. Parents who routinely fail to meet this responsibility will be notified by the school and may be reported to the appropriate community agency.

### **CHILD ABUSE COMPLAINT GUIDELINES**

MPESD is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion. 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.

**Failure to report is a misdemeanor punishable by imprisonment not to exceed 6 months, or a fine not to exceed \$1,000.00 or both. [PC11166]. Staff are trained annually in their reporting responsibilities.** Parents and guardians 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; you may also notify the District of an incident by contacting [the Director of Personnel at 408 223-3744](mailto:Director@mpesd.org). [EC 33308.1]

#### **California law defines child abuse as any of the following:**

- child is physically injured by other than accidental means.
- child is subjected to willful cruelty or unjustifiable punishment.
- child is abused or exploited sexually.
- child is neglected, not provided adequate food, clothing, shelter, medical care or supervision.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

- To stop a disturbance threatening physical injury to people or damage to property.
- For purposes of self-defense.
- To obtain possession of weapons or other dangerous objects within control of a student.
- To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

## **EMERGENCY AND SAFETY PROCEDURES**

During school hours, if an emergency is declared, all students and staff will be required to remain at school or an alternate safe site under the supervision of District personnel until:

1. Regular dismissal time and released only then if it is considered safe,  
OR
2. Released to an adult authorized by the parent or legal guardian whose name appears on the child's emergency card and can provide photo identification, once it has been determined safe to release students.

If students are on their way to school by bus, they will be brought to school. The School must have current phone number to notify in case of an emergency.

## **SAFETY AND EMERGENCY PREPAREDNESS PLANS**

Each school site has a School Safety and Emergency Preparedness Plan, which includes a plan for disaster preparedness, emergency procedures and assessment and response to reports of dangerous, violent, or unlawful activities conducted or threatened to be conducted at school, or a school activity.

Copies are available at each school site in the Office and Library and are posted on the school website. Fire drills or emergency drills are conducted monthly. The Site Emergency Plans are reviewed and revised annually. [Ed. Code 35291.5]

## **DISASTER PREPAREDNESS MATERIALS**

Natural and human-caused disasters affect everyone which is why it is important to be prepared at home, at school, at work, and in the community. Parents and guardians are encouraged to review the safety educational materials provided on the California Department of Education Web page at: <http://www.cde.ca.gov/ls/ss/cp/pupilsafetyeducmat.asp>.

The materials are available in multiple languages and can be used to help families prepare for different types of emergencies and crisis. Posted in each school and classroom are Emergency Preparedness Procedures to be followed in the event of an emergency during the school day.

## **EMERGENCIES AND "LOCKDOWN" PROCEDURES**

The safety of students and staff are of the highest importance. Each school has a Plan to deal with emergencies and provide a safe and secure environment. A "Run-Hide-Defend alert" refers to a set of school evacuation and lockdown procedures to protect students and staff from a potentially violent situation. A Lockdown may be called for incidents occurring on or near a school campus directed by the police or school staff. In the event of a dangerous situation, students will be kept safe inside their classrooms or evacuated off site until the threat or possible threat has been resolved. If your child is in a school lock down situation you will not be able to gain access to the school or your child until the incident has been resolved and it is safe to release students. A "Shelter in Place" refers to a set of procedures to protect students and staff in response to a possible external threat, or police action. Classroom instruction may continue inside the classroom. Each school conducts "Run-Hide-Defend" drills annually.

## **RESPONSE TO IMMIGRATION ENFORCEMENT**

Every student, regardless of immigration status or religion beliefs has a right to a free public education. The District shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members, except as may be required by state and federal law. No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the District's programs and activities on the basis of his or her immigration status. The district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena. Parent/Guardians are encouraged to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. Information provided on the emergency card will only be used in response to specific emergency situations and not for any other purpose. [EC 234.1, 200, 234.7.]

### **MARRIED/PREGNANT/PARENTING STUDENTS**

No student shall be excluded or denied any educational program or activity, including extracurricular activity, on the basis of the student's actual or potential pregnancy, childbirth, false pregnancy, termination of pregnancy, or related conditions or recovery. No rule shall be adopted concerning a student's actual or potential parental, family, or marital status that treats a student differently on the basis of sex. A student under 18 years of age who enters into a valid marriage is an emancipated minor who shall have all the rights and privileges of students who are 18 years of age or older. Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child. Any alternative education program, or activity shall be equal to that offered to other students. Participation in such programs shall be voluntary. The district shall provide educational and related support services. Students who are pregnant or parenting may be excused for absences for medical appointments and to care for a sick child for whom the student is the custodial parent. A student who is pregnant or parenting shall be entitled to parental leave as permitted by law. No student shall be required to take all or part of the parental leave. When a student takes parental leave, absences are excused until the student is able to return to the school program. A student who is pregnant or parenting, or has related conditions, shall not be required to complete academic work or other school requirements during the period of the parental leave. Following the leave, a student, may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option. Upon return to school, a student who is pregnant or parenting shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. When necessary, the district shall provide accommodations to enable a student who is pregnant or parenting to access the educational program. Additionally, the student shall have access to any services available to other students with temporary medical conditions. The district shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. Any complaint alleging discrimination or district noncompliance with the Married/Pregnant/Parenting Students Policy shall be addressed under the Uniform Complaint Procedures. Full Policy available at [mpesd.org](http://mpesd.org)

### **STUDENT HEALTH**

A part-time Health Clerk serves each school. The Health Clerk provides, first aid care for ill and injured students, and medication administration in accordance with doctor's orders. The District has been fortunate to receive a grant from El Camino Community Health to fund a School nurse to serve the district schools. The goal of the District's Health Services is to promote optimal health through the provision of basic school health services and monitoring of required immunizations.

### **STUDENT RELEASE**

During school hours, students may only be released to a parent listed on the birth certificate or guardianship/custody documents, or those individuals, age 18 and over, listed on the emergency card. Any individual intending to sign out a student must provide photo identification matching the name listed on the emergency card or documents.

### **INSURANCE- MEDICAL OR HOSPITAL SERVICES**

The school district does not carry medical or accident insurance for individual students. Parents are responsible for emergency medical costs beyond first aid provided at the school site. Student accident insurance is available for purchase from a variety of insurance agencies. Information is available in the school offices. If emergency medical or dental treatment is needed and the parent or listed emergency contact(s) cannot be reached, 911 will be called. The school district is not responsible for charges incurred as a result of 911 calls or ambulance transfers. [EC 49472]

### **HEALTH CARE COVERAGE**

Your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance go to [www.CoveredCA.com](http://www.CoveredCA.com). Additionally, California law allows

all low-income children under 19 years old, regardless of immigration status, to enroll in Medi-Cal at any time in the year. Families can apply in person at their local county human services office, over the phone, online, with a mail-in application, or at a local health center. For more information about Medi-Cal enrollment, visit [www.health4allkids.org](http://www.health4allkids.org). [EC 49452.9]

### **AEDS - AUTOMATED-EXTERNAL DEFIBRILLATORS**

AEDs are located in each school office, the District Office and the August Boeger Gymnasium. Staff are trained annually in the use of the AED. These life saving devices are used in the case of an individual with a sudden cardiac arrest.

### **SUICIDE PREVENTION**

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

### **SPECIAL HEALTH NEEDS**

If your child has an allergy or health condition, please notify the Office as soon as possible including all necessary health information. Please update the Office with any changes throughout the year.

### **ADMINISTRATION OF MEDICATION**

Any student who is required to take medication during the school day, may do so in accordance with District Policy, under the supervision of the Health Clerk, provided a "Medication Administration" form has been completed and signed by both the physician and parent. This form can be obtained from the school health office or district website. Medication to be taken at school must be supplied by the parent in the original container with the student's name, medication, dosage and directions clearly indicated. This includes over-the-counter medications such as aspirin. All medication must be stored in the health office. No medication will be stored or dispensed without written authorization from the physician and parent. Parents of a student on continuing medication for a non-episodic condition must inform designated school personnel of the medication being taken, dosage and name of the prescribing physician. Students needing to self-administer auto-injectable epinephrine at school or those with severe asthma or diabetic conditions must complete the same forms but may, if prescribed, carry their medication/inhaler if done so responsibly. [EC 49480 & 49423.1] Please notify the office immediately if any medication is needed for a life-threatening condition. Medications not claimed and retrieved by parent/guardian at the end of the school year shall be discarded in accordance with OSHA guidelines.

### **CRITERIA FOR SELF-ADMINISTRATION**

A student who requires medication at school may carry and self-administer emergency medication under the supervision school staff, if the student meets the following conditions:

1. The student is physically, mentally and behaviorally capable, in the written opinion of the parent/guardian, physician, and designated MPSD staff, to assume the responsibility.
2. The student demonstrates self-administration to designated MPSD staff.

### **CONFIDENTIAL MEDICAL SERVICES**

Students in grades 7 through 12 may be excused from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. [EC 46010.1]

### **CONFIDENTIALITY OF MEDICAL SERVICES**

School linked service coordinators will have access to health care information which complies with federal health insurance requirements, The Coordinator must be credentialed and serve with confidentiality

requirements per licensed school nurses, marriage and family therapists, educational psychologists and clinical counselors. [CC56.10]

### **ENTRANCE HEALTH SCREENING**

State law requires that the parent or legal guardian of each pupil provide the school within 90 days **(November 15)** after entrance to first grade documentary proof that the pupil has received a health screening examination by a doctor within the prior 18 months **(no sooner than March 1, prior to entering kindergarten)**. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible students through the Child Health Disabilities Prevention Program. [HSC 124085, 124100, 124105]

### **PHYSICAL EXAMINATIONS**

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists. [EC 49451]

### **IMMUNIZATIONS**

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

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

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above.

State law requires the following immunizations before a child may attend school:

1. All new students, in transitional kindergarten through grade 12, to the School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, and mumps, rubella, and varicella immunizations.
2. All transitional kindergarten and kindergarten students must also provide proof of vaccination against hepatitis B.
3. All seventh-grade students must also provide proof of a second measles-containing vaccine, and a pertussis booster vaccine.

Information about medical exemption or personal beliefs exemption from immunizations for your student is available at CAIR ME. For more information on medical exemptions, please visit the following website: <https://cair.cdph.ca.gov/exemptions/home>. [EC 49403, 48216; HSC 120325, 120335, 120365, 120370, 120375]

### **IMMUNIZATIONS: HPV: CANCER PREVENTION**

Students in the state are advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices (ACIP) of the federal Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the eighth grade level of any private or public elementary or secondary school. Per HSC 120336, "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." [EC 48980.4, 1367.66]

### **MEDICAL RECORDS SHARING**

Immunization information may be obtained from the CAIR immunization system (California Immunization Registry): HSC 120440

1. Medical information may be shared with local health departments and the State Department of Health Services.
2. The name and address of the State Department of Health Services or of the immunization registry with which the school will share the information.
3. Information shared with local health departments and the State Department of Health Services will be treated as confidential and will only be used to share with each other, and, upon request, with health care providers, schools, child care facilities, family child care homes, WIC service providers, county welfare departments, foster care agencies, and health care plans.
4. The providers, agencies, and institutions will, in turn, treat the shared information as confidential, and shall use it only as specified.
5. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it.
6. The student or the parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.
7. After refusal, a physician may maintain access to this information for the purposes of patient care or protecting the public health. After refusal, the local health department and the State Department of Health Services may maintain access to this information for the purpose of protecting the public health. Information shared with local health departments and the State Department of Health Services will be treated as confidential and will only be used to share with each other, and, upon request, with health care providers,

Students or parents or guardians may refuse to permit record sharing. Notification may be provided by ordinary mail.

### **HEALTH SCREENING**

Vision:	Grades TK, K, 2, 5, 8	Color Vision:	Grades K or 1	Students in Special Education
Hearing:	Grades K, 2, 5 and 8			Students in Special Education
Oral Health	Grades TK, K, 2, 5, 8			

All students are screened at the grade levels listed above. In partnership with the Healthier Kids Foundation, an oral health (cavities) screening is also conducted. Parents will be notified and referred for further follow-up only when a problem is identified. Parents may submit a written request for exemption from any of the above health screenings. All students receiving Special Education services are screened annually.

### **ILLNESS**

Please do not send your student to school with a contagious illness. If a student is at school with any of the below symptoms, the parent/guardian will be called to pick up the student. Under certain circumstances, you may be asked to consult a physician.

- \* Rash
- \* Diarrhea
- \* Eyes that are red, swollen, crusting or draining (pink eye)
- \* Fever (over 100 degrees) - must be free of fever and/or diarrhea for 24 hours and holding down liquids to return to school.
- \* Childhood communicable disease (notify school)
- \* Untreated, draining ears
- \* Vomiting (not related to anxiety)

### **FLU**

In the event of a flu outbreak, the District will follow the direction of the Santa Clara Public Health Department. Parents should take precautionary measures such as teaching students to wash hands frequently, cough in their sleeves instead of hands and to not share food or drinks. Parents may want to arrange in advance for childcare in the case of illness or school closure.

### **AUTHORIZATION TO PROVIDE EPINEPHRINE AUTO INJECTORS**

Trained personnel may provide medical aid to persons suffering from a life-threatening anaphylactic reaction using an epinephrine autoinjectors. Anaphylaxis is a rapid, severe allergic response triggered by insect stings, foods, medications, latex materials or unknown causes. The epinephrine auto-injector delivers a premeasured, sterile, injection of epinephrine through the skin. Emergency epinephrine auto-injectors must be stored in an accessible location along with a copy of written training material upon need for emergency use. Notice of location must be publicly posted [EC 49414]

### **NARCAN (NALOXONE) NASAL SPRAY STANDING ORDER**

School staff have been trained to administer Narcan in the event of an apparent accidental opioid or fentanyl over-dose, symptoms include an individual who is unconscious and unresponsive. Narcan is a nasal spray. Each site has a supply of Narcan in case of such an event.

### **HEAD LICE PREVENTION**

Head lice (pediculosis) are a common childhood condition and continues to be a problem in our schools. Please assist us in keeping this problem under control. The following are recommended:

1. Check your child's head periodically for live lice or nits(eggs). Check carefully in bright light as the nits are tiny and difficult to see. If you do not know what they look like, the school health clerk can assist you,
2. Obtain the Health Department pamphlet from the school health clerk or contact the Health Department at 918-4770 for information.
3. Treat your child as recommended by the Health Department and remove all nits (eggs) before your child returns to school. **A child with active lice will not be allowed to stay in school.**
4. If the school receives a report of a child having lice, all classmates will also be checked for lice. If parents are notified that a classmate of their child has lice, please check your child's hair daily for two weeks. This will help catch an infestation so it can be treated early.
5. Do not treat your child with lice medication unless you are notified or you see the lice/nits in your child's hair. The medication does not prevent lice. **Medication does not remove nits**, nits must be removed by hand with a fine-tooth comb.
6. The head lice removal process should be completed immediately

School staff will attempt to notify parents at the end of the school day if lice are identified.

### **ORAL HEALTH SCREENING REQUIREMENT**

A parent of a student, while enrolled in kindergarten in a public school, or while enrolled in first grade if the student was not previously enrolled in kindergarten, must no later than May 31 of the school year present proof of having received an oral health assessment that was performed no earlier than 12 months prior to school entry. [EC 49452.8]

### **MENSTRUAL PRODUCTS**

School District supports period equity and now provides free and accessible menstrual products, in all women's restrooms and all-gender restrooms, and in at least one men's restroom at schools serving grades 3 to 12. Notice of this service is required to be posted in a prominent and conspicuous location in every restroom where menstrual products, available and accessible, free of cost, are required to be stocked. The posted notice will contain the name, email and phone of the person responsible for maintaining this supply at the school site.

### **SCHOOL FACILITIES: DRINKING WATER: WATER BOTTLE FILLING STATIONS**

Water plays an important role in maintaining a student's overall health. Students, teachers and staff are allowed to bring and carry water bottles to school and utilize water bottle filling stations that may be found around the campus. Open water bottles are not permitted in the library, or near student technology devices. [EC 38040]

### **CELL PHONE POSSESSION AND OTHER ELECTRONIC DEVICES**

Cell phones and other electronic devices shall be turned off during class time and at any time directed by a school staff, and may not disrupt the educational program or any school activity. If a disruption occurs, staff shall direct the student to turn off the device and/or confiscate it. If confiscated, staff may return it at the end of the school period/day or keep it until the administrator has consulted with the student's parent and/or the parent retrieves the device. A student who violates this policy may be prohibited from possessing a personal electronic device at school or school related events and may be subject to school discipline. Use of cell phones, cameras or video to promote violence or illegal activities may result in suspension or expulsion. Students who engage in inappropriate use, access or sharing of personal, school or individual electronic data will be subject to disciplinary action. Inappropriate electronic communication which is demeaning, harassing, bullying will be subject to disciplinary action. Students are prohibited from using a cell phone's camera and/or video functions at all times while on campus, at a school activity, or while under the supervision of school staff, unless expressly permitted by staff. If reasonable suspicion exists that laws or school rules were violated, the school administrator has the right to search a student's cell phone. Failure to submit to the reasonable search of a cell phone or other electronic device will result in disciplinary action and possible confiscation of the item. School staff shall not be responsible for investigating the loss or theft of a personal device. Items brought to school are done so, at parent/student's own risk.

### **ELECTRONIC LISTENING OR RECORDING DEVICE**

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

### **PUPIL RECORDS OBTAINED FROM SOCIAL MEDIA**

Other than the school newspaper and yearbook, the school may gather information in the forms of video, photograph, blog, texts, and emails, to maintain school and student safety. All social media information gathered will be destroyed within one year after the student is no longer enrolled. [EC49073.6]

### **VIDEO AND CAMERA ON SCHOOL GROUNDS**

Videotaping or photographing students during the school day by students, campus visitors, parents/guardians, or staff is expressly prohibited. Only students whose parent/guardian has signed a Photograph/Video permission form may be photographed by staff for school purposes.

### **STUDENT PHOTOS & SCHOOL PUBLICITY**

The district regards photographs as a category of directory information that would not generally be considered harmful or an invasion of privacy if disclosed. Therefore, a student's photograph, together with the student's name, may be published on district or school websites unless the student's parent/guardian has notified the district in writing to not release the student's photograph without prior written consent, in accordance with Board Policy.

If students' names are not included, photographs of individual students or groups of students, such as at a school event, may be published on school or district websites, school newsletters or social media.

### **CLOSED CAMPUS**

It is the policy of the Board of Education that all school campuses are closed. A student must have permission from the school office when leaving the campus during the school day. Students leaving campus without permission will be subject to disciplinary action.

### **VEHICLE CONTROL**

School administrators establish all necessary regulations pertaining to the operation of all vehicles on school campus including school parking lots. All vehicle operators must obey regular traffic laws as well as posted regulations or verbal directions given by school personnel. Bicycles, skateboards and other wheeled vehicles must be: ridden in safe area and walked on campus. State law requires that all students wear properly fitted

and fastened bike helmets to and from school when riding their bicycles. Skateboards, in-line skates or roller skates may not be ridden on campus.[VC 21212]

**TRANSPORTATION CONDUCT FOR BUSSING AND FIELD TRIPS**

Protect your riding privileges by following these rules at all times while on board the bus:

1. Obey and cooperate with the bus driver at all times. He/she is authorized to assign seats.
2. Behave with respect on the bus.
3. Help keep the bus clean; eating, drinking, and gum chewing are not permitted on the bus.
4. Remain seated until the bus arrives at the stop and the bus door is opened.
5. Keep head, arms, hands and legs to self and inside the bus.
6. The following is not permitted on a school bus: animals, glass containers, balloons, skateboards, scooters, radios, electronic devices (including headsets), laser pointers, large items including sporting equipment.

**MEGAN'S LAW- Release of Sex offender Information**

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect your family and frequently asked questions. [Penal Code 290(LA)(1)(1), HSC 120440]

**VICTIM OF A VIOLENT CRIME**

A pupil who becomes a victim of a violent crime while in or on the school grounds must be offered the opportunity to transfer to a safe public school within the school district, including a public charter school, within ten calendar days. If there is not another school within the area served by the district, the district is encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring school district to accept pupils through an inter-district transfer. Primary examples of violent criminal offenses in the Penal Code include attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, and hate crimes. [20 USC 7912]

**PEST MANAGEMENT- Healthy Schools Act**

Parents/guardians can register with the Maintenance Office, 408 223-3763 to receive notification of individual pesticide applications. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application. Parents/guardians seeking access to information on pesticides and pesticides use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code Section 13184, can do so by accessing the Department's website at [www.cdpr.ca.gov/](http://www.cdpr.ca.gov/) Pesticide products expected to be applied at MPSD facilities during the upcoming year are listed below.

<b>Pesticide name</b>	<b>Active Ingredient</b>	<b>Physical Form</b>	<b>Application Method</b>	<b>Target Pest</b>	<b>Toxicity Category</b>	<b>EPA Reg No</b>
Alpne WSG	Dinotefuran	Tempo: Wettable Powder	Spray	Insects & Roaches	Tempo:Eye irritation: Category 2Band acute toxicity: Category 4	Tempo: 432-1377
Alpine WSG	Dinotefuran	Suspend: Liquid	Spray	Insects & Roaches	Alpine: N/A	Alpine: 499-561
Alpine WSG	Dinotefuran	Granules	Broadcast Outside	Insects & Roaches	Suspend: N/A	Suspend: 432-763
Alpine WSG	Dinotefuran	Termidor: Liquid	Spray	Insects & Roaches	Termidor: Category 4	Termidor 7969-210

**TOBACCO, ALCOHOL, AND ILLICIT DRUGS - Vape - SMOKE/TOBACCO FREE DISTRICT**

Smoking and the use of all tobacco products, marijuana, alcohol or other drugs, including misuse of prescription drugs, are prohibited on all School District property, at all times by all persons, including employees, students, and visitors at any school or District site or attending any school sponsored events. The

School District also prohibits the use of electronic nicotine delivery systems such as e-cigarettes, hookah pens, cigarillos, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products on all District property. These devices are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and USB devices. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin. Penal Code Section 308(a)(1)(H) prohibits the sale of e-cigarettes to minors which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging or negotiating to sell tobacco and vape products can be subject to disciplinary action. Parents and students are encouraged to seek assistance at their school site. The District shall provide preventive instruction, which helps students to avoid the use of alcohol or other drugs and provide cessation resources to those impacted.

### **TOBACCO FREE CAMPUS**

The use of tobacco and nicotine products is prohibited on school or district grounds, buildings, and vehicles, and within 250 feet of a youth sports event. Tobacco product includes, but is not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (e.g., electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids. Tobacco-free Campus – [BPC 22950.5; HSC 104420, 104495, 104559, PC 308]

### **CAMERA SURVEILLIANCE**

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

### **MENTAL HEALTH SUPPORT**

Social- Emotional supports, including school counseling services, assist students in meeting their potential. As part of MPESD’s program, students may be referred to or request counseling services. These services are provided at no cost. School counseling is considered part of a school’s general education program and is accessible to any student. Parent consent is not required for the implementation of the general counseling program. As part of this program, a school counselor may engage students through a variety of strategies to promote and support:

- The school’s positive Behavior Intervention and Supports (PBIS) system
- A school’s safe and inclusive school environment
- A students’ personal, social, and academic development or mindfulness

Additionally, mental health staff may engage in the following activities available to all students without written parent consent:

- School assemblies in support of academic, social, and emotional skills
- Individual, short-term support (1-2 sessions)
- Consultation with teachers in support of classroom behaviors
- Collaboration with school administration and staff to deliver school-wide supports
- Intervention and assistance in emergency situations and when a student is considered at imminent risk for harm
- SEL Screening

Written parent/guardian permission will be obtained prior to providing the following counseling services:

- Targeted small group counseling (skill-based lessons)
- Short-term individual counseling (more than 2 scheduled sessions)
- Development and implementation of individualized behavior supports and interventions following evaluation of a student’s needs.
- Individual counseling provided at school by a community-based organization

However, pursuant to Family Code 6920-6926 and Health Code 124260, students 12 years or older may consent to counseling services on their own behalf. Mental health providers will confer with the student before determining if involvement of parent or caretaker is appropriate.

#### Referrals

Parents/guardians, teachers, and administrators, may make referrals for school counseling services. Students may also self-refer to see a counselor.

#### Confidentiality

- Mental Health staff have the responsibility to respect and safeguard the right to privacy and confidentiality of a student except for certain limited conditions, such as if a student demonstrates harm to self or others, if there is known or suspected child abuse or neglect, or there is a court ordered disclosure.
- Mental Health Staff may share limited student information with parents/guardians, the student's teacher, and/or administrators or school personnel who work with the student on a need-to-know basis to better assist the student as a team.
- Mental Health Staff will inform students of these limits to confidentiality before sharing information with others.
- A student 12 years or above has a personal right to confidentiality.

#### **CALIFORNIA YOUTH BEHAVIORAL HEALTH INITIATIVE (CYBHI)**

Under CYBHI districts can bill public and commercial insurance for mental health services provided to students at no cost to parents. MPESD is able to receive insurance payments for some of the health services it provides to students through, the Medi-Cal Local Educational Agency Billing Option and the California Multi-Payer School Linked Services Fee Schedule. Parents must provide consent for billing annually.

#### Important Information

- Services are provided free of charge to students and parents
  - Parents will not be charged for these services, there are NO out of pocket expenses; no deductibles, no co-pays.
- Parents may still access health services provided directly by your insurance provider.
- All parents are asked to sign a consent for billing consent
- A student may still be referred out for more intense services if needed.
- This program allows MPESD to continue to fund mental health support programs as well as provide services that are accessible to students and families.

### **STUDENT ATTENDANCE**

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#### **ATTENDANCE REGULATIONS**

Student attendance is essential to benefit from the educational program. Parents are required to call school **each day** of a student's absence. Parents have **five school days** to verify the reason for their child's absence. **If verification has not been received within this five-day period, the absence will be considered unexcused and cannot be changed.** Students ages 6 through 16, are required by law to attend school full-time. A student who is absent without valid excuse on 3 full days, tardy or absent for more than any 30-minute period on 3 occasions in one school year, or any combination, is legally truant.

Verification of student absences is accepted only from parents or guardians, either by note or by telephone. The principal may require a note from the physician if your child is absent more than 3 consecutive days or has been absent 10% or more of the school year. If a child is absent more than 10% of the possible school days, the student will be considered chronic absentee. Lack of compliance may result in referral to SARB or the District Attorney for truancy proceedings. [EC 48260,48205]

#### **EXCUSED ABSENCES**

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 student's mental or behavioral health
2. Due to quarantine under the direction of a county or city health officer.

3. To having medical, dental, eye 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 the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, authorized at the discretion of a school administrator, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board. , attendance at religious retreats shall not exceed four hours per semester.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active-duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event.
12. 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. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

A pupil absent from school shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit. The teacher of the class shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

\*\* Most schools have policies for perfect attendance requiring a student to be present 100% of the time to receive Perfect Attendance awards. Please review your School's Handbook for details.

**UNEXCUSED ABSENCES (SUBJECT TO TRUANCY LAWS)**

The missing of class or school without an excused or warranted reason, whether student or parent initiated.

- Any absence which has not been verified by the close of the school attendance office on the tenth school day of attendance following absence.
- Absences for which advanced approval is necessary and approval was not obtained before the absence.
- Unless approved in advance, the failure of a student to be in the assigned classroom when the tardy bell has rung constitutes an unexcused tardy.
- A 30-minute tardy to the assigned classroom shall be considered an unexcused absence.
- Family vacations

**CONSEQUENCES OF ABSENTEEISM- CHART 2**

SCHOOL SITE CONSEQUENCES	DISTRICT LEVEL CONSEQUENCES
<p><b>Administration May:</b></p> <ol style="list-style-type: none"> <li>1. Assign to work detail as a student selected option to other consequences.</li> <li>2. Declare student a legal truant.</li> <li>3. Assign in-house suspension or detention.</li> <li>4. Assign Saturday School.</li> <li>5. Restrict from extra-curricular and promotion exercises.</li> <li>6. Recommend retention in same grade for elementary and middle school levels.</li> <li>7. Request to have parent provide doctor excuse on each and every day of the student's absence.</li> <li>8. Request to have parent deliver or pick up the student to or from the classroom or the school.</li> </ol>	<ol style="list-style-type: none"> <li>1 Administratively transfer student within the District.</li> <li>2. Declare student a habitual truant.</li> <li>3. Referral to SARB (Student Attendance Review)               <ul style="list-style-type: none"> <li>* Refer parents to the district Attorney for prosecution.</li> <li>* Refer parent to Juvenile Probation Department for lack of parental care in maintaining the student's regular and punctual attendance.</li> </ul> </li> <li>4. Refer parents to Small Claims court for recovery of lost state revenue to the District due to the student's unexcused absences.</li> <li>5. Assignment to an program outside the district.</li> <li>6. Assignment to non-school hours of school site community service.</li> </ol> <p><b>Truant Consequences</b>            Any student who is identified as "Truant" may be assigned as a ward of the county, if the available community resources do not resolve the students' continued problems with truancy, by a Probation Officer or Deputy District Attorney. [EC 48263,48267, 48262; WIC 236,601et</p>

**CHRONIC ABSENTEEISM**

A student is considered a chronic absentee when he/she is absent on 10% or more of the school days in oneschool year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and student engagement. [EC 60901]

**AVOIDING ABSENCES**

The Mt. Pleasant School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a student misses none or only a small portion of the school day. The District also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate the more a student will learn and the greater amount of funding that the district will receive from the state for classroom instruction and academic programs.

**SATURDAY SCHOOL**

Students with unexcused absences may be required to attend school on a Saturday to make up absences. Saturday school is offered four times with teacher directed instruction.

## **ALTERNATIVE ATTENDANCE PROGRAMS:**

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### **INDEPENDENT STUDY (IS)**

The District offers short-term Independent Study (IS). All parents are now requested to sign an IS Master Contract at the start of the school year. This allows a student to receive IS work and credit if a parent requests IS to make up an absence, if the student will miss school due to a vacation, in case of an emergency or other circumstance, up to a maximum of 15 days per school year. The Master Contract must be signed before the absence. IS work assigned must be completed and submitted to receive credit. The district reserves the right to refuse future IS contracts if work is not completed and submitted as agreed upon.

### **INSTRUCTION OF STUDENTS WITH TEMPORARY DISABILITIES- HOME/HOSPITAL**

A pupil with a temporary disability which makes attendance at school impossible or inadvisable based on doctor's request may receive individualized instruction provided in the pupil's home for one hour a day. Please contact Student Support Services information. It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less. The supervisor of attendance shall ensure that absences from the regular school program are excused until the pupil is able to return to the regular school program. For information further contact school secretary. [EC 48206.3]

### **OTHER ALTERNATIVE SCHOOLS**

Students may be placed in an alternative school operated by another district for purposes of discipline, safety or attendance.

### **EXEMPTIONS FROM SCHOOL ATTENDANCE**

An exemption, such as a reduced schedule, may be granted when circumstances make student non-attendance or part-time attendance advisable. If a student's attendance at school is inadvisable because of mental or physical conditions, an exemption may be granted upon presentation of satisfactory evidence of the condition. Exemption is non-punitive, and may be initiated by a parent only when exemption is in the best interest of the student. Only the school SST/ 504 accommodation team can approve an exemption.

### **HOME SCHOOLING**

Parents who choose to educate their children within the family at home must file a private school affidavit to privately educate or "home school" their children must select and provide all curricular, instructional, and other materials. <https://www.cde.ca.gov/sp/ps/homeschool.asp>

This is not a district-sanctioned program.

### **EXCLUSIONS FROM SCHOOL ATTENDANCE**

A student who has significant filthy or vicious habits, or children suffering from contagious or infectious disease may be excluded from school. A student whose mental disability would be detrimental to the welfare of other students may be excluded from school. Students who do not have state required immunizations must be excluded. [EC 48211, 48213, 49451, 48123, Health and Safety Code Section 3380-89, Chapter 7]

## **BEHAVIOR GUIDELINES:**

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**Mt. Pleasant School District Schools utilize Positive Behavior Interventions and Supports (PBIS) to maintain a safe and positive school environment.**

### **COMPLIANCE**

All students shall comply with the regulations, pursue the required course of study and comply with the authority of the School staff. Willful defiance of the valid authority of supervisors, teachers or administrators constitutes good cause for school intervention. Students accountable for appropriate conduct to and from school, on the playgrounds during recesses, and at school activities. [EC44807]

**GENERAL STUDENT EXPECTATIONS**

Students are expected to be Respectful, be Safe and be Responsible. School rules and regulations are established to maintain a positive atmosphere and environment conducive to learning. Those students who fail to comply with established rules and regulations may face disciplinary actions. Participation or attendance at extracurricular activities is considered part of the educational program. Jurisdiction, all rules and regulations of student conduct apply to school hours, all extracurricular/co-curricular activities and conduct to and from school. Following an incident, the site administrator will complete an investigation; including interviewing the parties involved and determine appropriate action. Restorative practices or discipline may be imposed. Parents/Guardians will be notified of any actions taken.

**RESTORATIVE PRACTICES**

Restorative practices are strategies designed to build healthy relationships between students and the school community. Restorative practices are methods to address and prevent conflicts or "wrong doings". Restorative practices allow students who have committed harm to take responsibility for his/her actions and to return to the school community. Each school site will share their restorative practices utilized in their handbook, assemblies and back to school nights. *Adapted from 'Restorative Practices: A Guide for Educators*

The following chart indicates the common behavioral problem areas, their brief explanations, and the general type(s) of behavioral intervention that may apply to each of the areas. This is not intended to be a comprehensive list covering all possible problem areas or disciplinary actions taken by school officials. All actions, including those not listed below, will be taken in accordance with established school board policies or state laws at the discretion of the school administration.

BEHAVIOR VIOLATIONS: OTHER MEANS OF CORRECTION WILL BE ATTEMPTED PRIOR TO SCHOOL REMOVAL UNLESS A SAFETY VIOLATION HAS OCCURRED. MINOR OFFENSES TO BE ADDRESSED WITHIN CLASSROOM.

<b><u>Problem Area EC 49800</u></b>	<b><u>EXPLANATION</u></b>	<b><u>POSSIBLE DISCIPLINARY ACTION</u></b>
Aiding Or Abetting	Assisting, encouraging, supporting others in the act of violating school rules or inflicting harm. to another	Parent involvement, restorative practices, suspension, alternate school site,
Assault/Battery (A1)	Willfully engage in or threaten any act which causes or might cause serious physical injury to another person.	Suspension, alternate school site or program, report to police.
Weapons/Injurious Objects (Imitation Or Otherwise), Explosives, Laser Pointers(B)	Possession or use of a gun, a knife, or any object which might be used to inflict bodily injury to another person.	Restorative practices, suspension, expulsion, report to police.
Extortion/Robbery (E)	The solicitation of money, or something of value, in return for protection, or in connection with a threat to inflict harm.	Restorative practices, report to police.
Arson (F)	Starting or helping set a fire on a school campus	Suspension, expulsion, report to police, restorative practices
Explosive Devices/Pepper Spray (B)	The use, possession, or sale of any explosive device	Suspension, expulsion, report to police
Possession, Use Or Sale Of Drugs, Alcohol Or Paraphernalia (D) (J) (C) (P)	Use, possession, or sale of drugs, narcotics, Marijuana, alcohol or other controlled substances, in all forms	Parent involvement, cessation programs, restorative practices, suspension, alternate school site or program, expulsion, report to police
Fighting (A)	Mutual combat not resulting in serious physical injury	Informal conference, conflict resolution, restorative practices,

		alternate school site, suspension, expulsion
Sexual Harassment	Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone in the educational setting. Creates an intimidating environment.	Informal conference, parent involvement, counseling, suspension, expulsion, alternate school site.
Hate Violence (4-8 Grade)	Actions committed because of the victim's race, color, religion, nationality, ancestry, disability or real or perceived sexual orientation or other protected class.	Conference, restorative practices, parent involvement, suspension, expulsion, report to police.
Disorderly Conduct, Including Profanity, Verbal Abuse, And Obscene Behavior (4-8 Grade)	Conduct or behavior which is disruptive to the orderly educational procedure of the school; vulgarity or acts which are considered obscene	Restorative practices, office referral, conference, parent involvement, alternate school site program
Unexcused Absence Or Truancies	Any absence which has not been excused both by a parent or legal guardian and approved by the appropriate school official	Parent conference, detention, alternate school site program, SARB referral, referral to District Attorney, written parent notice, truancy citations
Defiance Of Authority (Not A Suspendable Offense)	Minor-Refusal to comply with reasonable requests of school personnel. Major-Statements directed at staff	Informal talk, restorative practices, detention, parent involvement, office referral (major only)
Tardiness	Arriving late to school or class.	Informal talk, restorative practices, detention, parent involvement, office referral, Saturday School
Uniform Dress Code	Not complying with the District uniform policy. A student is not permitted to attend school if his/her appearance is disruptive to the operation of school.	Informal talk, conference, restorative practices, detention
Gang Behavior/Attire	Engaging in behavior (writings, hand signals, intimidation, "stare downs", etc.) or wearing attire (caps, shirts, etc.) or symbols	Informal talk, office referral, restorative practices, detention, suspension, parent involvement, alternative school site or program
Bus Misconduct	Not following bus rules.	Parent involvement, loss of privilege to use school bus.
Forgery	Writing and using the signature or initials of another person.	Restorative practices, detention, suspension.
Cheating	Using or allowing use of unauthorized material other than the student's own, to complete tests or class assignments and claiming that the work was original.	Informal talk, restorative practices, detention, no credit for the assignment or test, parent involvement, drop from class.

Gambling	Participation in games of chance for the purpose of exchanging money or something of value.	Informal talk, restorative practices, parent involvement
Theft/Possession Of Stolen Property (G) (L)	Taking or attempting to take property that does not belong to oneself, or possession of stolen property.	Informal talk, restorative practices, conference, parent involvement, restitution, report to police.
Use Of Tobacco (H)	Use or possession of any tobacco products including electronic cigarettes and vapor pens	Informal talk, restorative practices, conference, parent involvement, detention, alternate school site, Saturday School
Destruction Or Defacement/ Vandalism Of School Property (F)	Destroying, damaging or mutilating property or materials belonging to school, school personnel or other persons	Informal talk, conference, restorative practices, suspension, restitution, report to police, alternate school site.
Inappropriate Internet Use	Any use of school Internet for purposes other than those specified by the school.	Informal talk, restorative practices, conference, suspension, loss of internet privileges
Terroristic Threats	Any threat to commit a crime that would result in serious injury or damage. Even if there is no intent.	Threat Team investigation, restorative practices, intervention, suspension, report to police
Harassment, Threats Or Intimidation (O)	Engages in harassment, threats or intimidation directed towards students or staff that creates substantial disorder, invades the rights of others and creates an intimidating or hostile educational environment.	Informal talk, restorative practices, conference, parent involvement, suspension or expulsion
Bullying, Cyberbullying & Harassment (R)	Any willful conduct directed at a specific person/group which seriously alarms or harasses and involves the imbalance of real or perceived power among those involved. including conduct by means of an electronic act, cell phone, messaging, social media, etc..	Informal talk, restorative practices, conference, contract, parent involvement, suspension or expulsion

**SAFE PLACE TO LEARN ACT- PREVENTING BULLYING, HARRASSMENT & INTIMIDATION**

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

Depending upon the incident, notification of the authorities is one of several consequences. Issues of bullying and harassment are taken seriously, if your child is having issues with bullying please contact the school Principal. Forms to report bullying are available in the school office and on the district website. [EC 48900.2, 48900.3, 48900.4]

### **SCHOOL SAFETY BULLYING**

The School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. Annual training will be provided to all staff who work with students, to prevent bullying and cyberbullying. You may find a list of education web pages describing the staff training at: <https://www.cde.ca.gov/ls/ss/se/bullyres.asp> If you or your child should experience any bullying on campus, at school events, or on the way to or from school, **please contact the school Principal** to assist you in identifying and stopping this behavior [EC234.4 & 32283.5] Bully Prevention Plan- Pg

### **STUDENT THREAT RESPONSE**

Threats on our school campuses are taken very seriously. A standard procedure for responding to ALL student threats of violence called "threat assessment" will be used. When a student communicates a threat to harm someone, law enforcement or a threat assessment team will do an assessment to determine how serious the threat is and what can be done to prevent the threat from being carried out. Our purpose is to prevent violence and find better ways to solve problems. The team will investigate threats, quickly resolve the "transient" threats, and take further action to deal with the "substantive" and serious threats. What is a threat? A threat is any expression of intent to harm someone. Threats may be spoken, written or expressed in some other way such as through gestures, writings or drawings. Possession of a weapon will be investigated as a threat. If your student knows of someone making a threat it is important to contact the school principal. Help teach your student that there is a difference between "snitching" and trying to prevent an act of violence. If your student makes a threat or is the target of a "serious" threat, we will contact you, advise you of our response and seek your support and assistance in resolving the threat.

**REPORTING THREATS**- Any school official who is alerted to or perceives a homicidal threat made by a student in grades 6-12, MUST immediately report the threat or perceived threat to law enforcement. The report shall include copies of any evidence associated with the threat. This can include and 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. School Officials may report a perceived threat for a younger students in any situation in which they feel it is appropriate to maintain the safety and well-being of the student body and community.[EC49390(e)]

### **PUNISHMENT**

Corporal Punishment, defined as the deliberate infliction of physical pain as a disciplinary measure, is prohibited by State law and District policy. An amount of force that is reasonable and necessary for a person employed by the District to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil, is not and shall not be construed to be corporal punishment. [EC 49001]

### **HAZING**

It is a crime to engage in hazing activities. In addition, any student who participates in hazing, or any act that causes or is likely to cause personal humiliation or disgrace will be referred for suspension and/or expulsion.[EC 32051-48900q]

### **SEARCHES**

Searches of backpacks, bags, purses, and lockers may be made during the school year to ensure the safety of students may be conducted by the Principal or Designee. Searches may be conducted when there is a reasonable suspicion that a student possesses items in violation of the law or school rules. School Officials may search cell phones if there is reason to believe that the student has engaged in bullying or other prohibited activities impacting the school site. Items, including cell phones may be confiscated. Any illegal substances, drug paraphernalia, weapons or other objects that may be injurious to the student or to others that are

confiscated shall be turned over to the police. It is the student and parents' responsibility to make sure there are no inappropriate items brought to school. [EC 49050 & New Jersey V TLO, 1985]

### **DISCIPLINE**

The District has established the following procedures to ensure that students receive due process when they are subject to disciplinary action.

### **RECESS RESTRICTION**

Recess restriction (detention) limits the free time allotted to a student for disciplinary purposes. Students shall not be restricted from eating lunch nor from taking care of personal hygiene needs.

### **AFTER SCHOOL DETENTION**

A student may be detained after school for up to one hour after the close of classes for disciplinary action. When a student is detained every effort shall be made to notify the parents in advance.

### **EXPULSION HEARINGS**

In the event a student is recommended for expulsion from the District, he or she is entitled to a hearing and, advance written notice of the rights and responsibilities enumerated in E.C. section 48918. Written notice of these due process rights shall be provided at least 10 days in advance of the date set for hearing. [EC 48918]

### **GENERAL SUSPENSION**

Suspension, including supervised suspension, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a student may be suspended, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons. Suspension: the temporary removal of a student from class instruction for adjustment or disciplinary reasons. In all cases of suspension, the student must receive due process including an investigation and follow school procedures for positive interventions.

### **DUE PROCESS**

Disciplinary action will be preceded by an investigation, a conference between the principal or designee and student, in which the student shall be informed of the reason for the action, the evidence against him, and be given the opportunity to present his or her defense. At the time of suspension, a school employee will make a reasonable effort to contact the student's parent by telephone. The parent will be given written notice of the suspension. Notification of parent or guardian is extended to a foster child's attorney. Social worker or County Social Worker. [EC 47605]

While on suspension from school, the pupil is not to loiter on or about any school grounds at any time, nor to attend any Mt. Pleasant School District activity at any time. Violation may result in further disciplinary action. [E C 48900 (p)]

### **AUTHORITY TO SUSPEND SUSPENSION & EXPULSION**

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

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.  
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcohol or intoxicant.

- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. A pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, shall not be suspended or be recommended for expulsion
  - (A) A certificated or classified employee may refer a pupil to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in subdivision (b) of Section 48900.5 for any of the acts enumerated in paragraph (1).
  - (B) A school administrator shall, within five business days, document the actions taken pursuant to subparagraph (A) and place that documentation in the pupil's record to be available for access, to the extent permissible under state and federal law, pursuant to Section 49069.7. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286-289 of the Penal Code or committed a sexual battery as defined in Section 243.4.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
    - b) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.
    - c) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
    - d) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a

school.

- (2) A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (i) A message, text, sound, video, or image.
  - (ii) A post on a social network internet website, including, but not limited to:
    - (I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1).
    - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1).
  - (iii) (I) An act of cyber sexual bullying.
    - (II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.
- (3) "Reasonable pupil" means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil's exceptional needs.

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

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

#### **SEXUAL HARASSMENT**

In addition, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

The conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. [EC48900.2]

#### **HATE VIOLENCE**

In addition, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233. [EC 48900.3]

### **HARASSMENT, THREATS OR INTIMIDATION**

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. [EC 48900.4]

### **TERRORISTIC THREATS**

A pupil may be suspended or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(a) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family. [EC 48900.7]

### **PARENT/ GUARDIAN NOTIFICATION**

**By Teacher:** The teacher shall ask the parent to attend a parent-teacher conference regarding the suspension as soon as possible. [EC 48910]

**By Administrator:** A school employee shall make a reasonable effort to conference with the student's parent or guardian in person or by telephone at the time of the suspension. [ED. CODE 48911 (d)] A written notice shall be sent to the parent or guardian.

**Grounds for Suspension:** No student shall be suspended from school unless the principal/principal designee of the school in which the student is enrolled determines that the student has violated one or more of the following provisions of E.C. 48900(A-M) or 48900.2, 48900.3, 48900.4 or 48900.7. In addition, State law requires that District to report certain offenses to law enforcement authorities. [EC §48902]

### **SUSPENSION OR EXPULSION DURING SCHOOL ACTIVITY/ATTENDANCE**

A student may be suspended or expelled for violation of school rules on any school campus at any time of the day or night, regardless of the school district of jurisdiction.

### **APPEAL PROCESS**

A student or the student's parents may appeal to the Superintendent or his/her designee those disciplinary actions, other than expulsion, imposed upon a student for his/her school related acts of misconduct. Appeals must be made first in writing at the school level, and should be directed to the Principal. The Principal will attempt to resolve the appeal with a written response within ten school days. After appeal at the school level, if further appeal is desired, the appeal should be made at District level, and should be directed to the District Superintendent/Superintendent's Designee for resolution with a written response within fifteen school days. If the appeal is denied, the parent may place a written rebuttal to the action in the student's file.

### **EXPULSION**

Expulsion is the involuntary removal of a student from all schools and programs of the School District for an extended period of time for acts of specified serious misconduct. Final action is taken only by vote of the Board of Education. The governing board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. [EC 48917]

### **MANDATORY EXPULSION**

Under the mandatory provision of E.C. 48915(c), a student who has committed one or more of the following acts must be recommended for expulsion.

1. Possessing, selling or otherwise furnishing a firearm,
2. Brandishing a knife,
3. Unlawfully selling a controlled substance (drug)
4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possession of an explosive

### **EXPULSION MAY BE RECOMMENDED**

In accordance with E.C. 48915 and by direction of the Board of Education, a student may be considered for expulsion for committing any act not listed in Category I or 32 enumerated in E.C. sections 48915, 48900.2, 48900.3, 48900.4, or 48900.

### **ADDITIONAL REPORTING REQUIRED BY STATE LAW**

The following offenses require school personnel, by law, to file a report to the police or a legal agency:

- An assault upon any person with a deadly weapon or by force likely to produce great bodily injury. [EC 48902]
- A non-accidentally inflicted physical injury upon a student or adult by another student or person, which requires medical attention beyond the level of school-applied first aid. [PC 11166]
- Actual or suspected sexual abuse, physical abuse or neglect of any child. A report must be made to a child protection agency. (PC 11166)
- An attack or assault on, or the menacing of, any school employee by a student.[EC 44014]
- A directly communicated threat by a student or any person to inflict unlawful injury upon the person or property of a school employee to keep the employee from fulfilling any official duty or for having fulfilled any official duty.
- Possession of any controlled substance, drug paraphernalia, or intoxicants. [EC 48900(c)]
- Acts of school misconduct in violation of court-imposed conditions or probation. [EC 48267]
- Truancy of any student under court ordered mandatory attendance.
- Guns, weapons or dangerous objects on campus. [EC 48900(b)]

### **STUDENT RELEASE TO PEACE OFFICER**

When a principal or other school official releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse. [EC 48906]

### **INVOLUNTARY TRANSFERS**

A school administrator may recommend an involuntary transfer of a student if convicted of a violent crime and if the victim attends the same school. Parents must be notified in writing and have the right to a meeting with the administration. The school will first attempt to resolve any conflict prior to transferring. Periodic reviews will be considered for returning to the school site if there is no on-going danger to either student or others on campus. The school board makes the final decision.[EC 48929]

### **STUDENT SURVEYS**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. Questions pertaining to the sexual orientation and gender identity of a student shall not be removed from a survey that already includes them. [EC51513-4]

of, or acting in the scope of, their duties. A person may also be in possession of a firearm on school grounds if the firearm is unloaded and in a locked container or within the locked trunk of a motor vehicle.

**APPEARANCE/DRESS CODE/ SCHOOL UNIFORM**

**Dress Code Guidelines:** All clothing must be size appropriate, appropriate to participate in physical education and other school activities, not pose a safety concern and be respectful to others. Clothing items that are red or blue or sports logos are not allowed. School-sponsored items include: Science Camp, MPAS, School, & College Shirts.

**SCHOOL UNIFORM-**

The Mt. Pleasant Elementary School District is committed to ensuring our schools are safe and free of gangs and where learning is the focus. Our schools require a dress code uniform which will be provided to families at no cost, if requested due to inability to purchase.

Item	Details	Middle School	Elementary
<b>Pants</b>	<ul style="list-style-type: none"> <li>• Cotton Uniform pants</li> <li>• Yoga pants or Jeggings (thick, non-see through)</li> <li>• Sweatpants</li> <li>• Black (Undistressed) Jeans</li> </ul>	<ul style="list-style-type: none"> <li>• Black</li> <li>• TAN</li> <li>• Navy Blue (no jeans)</li> </ul>	<ul style="list-style-type: none"> <li>• Black</li> <li>• Navy Blue (no jeans)</li> <li>• Sweatpants Blue or Black</li> </ul>
<b>Skirts</b>	<ul style="list-style-type: none"> <li>• Skirts (no shorter than fingertip length)</li> <li>• Pleated, plain or skorts</li> </ul>	<ul style="list-style-type: none"> <li>• Black</li> <li>• Tan</li> <li>• Navy Blue</li> </ul>	<ul style="list-style-type: none"> <li>• Navy Blue</li> <li>• Black</li> </ul>
<b>Shirts</b>	<ul style="list-style-type: none"> <li>• Plain or collar (polo) tops</li> <li>• Short or long sleeves</li> <li>or</li> <li>• School Sponsored shirts</li> </ul>	<ul style="list-style-type: none"> <li>• White</li> <li>• Navy Blue</li> <li>• Black</li> <li>• Solid grey</li> </ul>	<ul style="list-style-type: none"> <li>• White</li> <li>• Forest Green</li> <li>• Navy Blue</li> </ul>
<b>Sweatshirt/ Hoodie</b>	<ul style="list-style-type: none"> <li>• Hooded or non-hooded.</li> <li>• Pull-on or zipper style or</li> <li>• School Sponsored</li> </ul>	<ul style="list-style-type: none"> <li>• White</li> <li>• Gray</li> <li>• Black</li> </ul>	<ul style="list-style-type: none"> <li>• Forest Green</li> <li>• Black</li> </ul>
<b>Jacket/ Coats</b>	<ul style="list-style-type: none"> <li>• Hooded or non-hooded.</li> <li>• Pull-on or zipper style</li> </ul>	<ul style="list-style-type: none"> <li>• Solid grey</li> <li>• Solid White</li> <li>• Solid Black</li> </ul>	<ul style="list-style-type: none"> <li>• No Red or Blue</li> </ul>
<b>Shoes &amp; Socks</b>	<ul style="list-style-type: none"> <li>• Enclosed toes and heels</li> <li>• Shoes must be tied</li> <li>• Shoes must be appropriate to participate in P.E.</li> <li>• Primarily solid colors</li> </ul>	<ul style="list-style-type: none"> <li>• Black</li> <li>• White</li> <li>• Brown</li> </ul>	<ul style="list-style-type: none"> <li>• No Red or Blue</li> </ul>
<b>Accessories</b>	<ul style="list-style-type: none"> <li>• Head coverings may be worn for protection from weather outdoors or religious/cultural reasons</li> <li>• Sunglasses may only be worn outside to block the sun</li> <li>• Belts size appropriate, plain black, brow, grey, white</li> </ul>	<ul style="list-style-type: none"> <li>• No Red or Blue</li> </ul>	<ul style="list-style-type: none"> <li>• No Red or Blue</li> </ul>

**Items NOT permitted at any time**

- Long earrings and large hoops
- Chain wallets
- Items that offend community sensibilities i.e., promote drugs, illegal activities, target/offend other groups
- Students with body piercings (lip, eyebrow, nose, tongue, etc.) are strongly discouraged from wearing jewelry in those piercings to school and will be required to remove or tape jewelry during P.E.
- Open-toe shoes, slides or Crocs
- Large or sharp belt buckles
- Bandanas
- Any jewelry that is sharp or dangerous
- Sports team logos
- Revealing clothing that is distracting to the learning process, i.e. low-cut tops, tank tops, crop tops
- No spray deodorants, perfume, or hair spray
- Make-up is not appropriate for elementary age setting
- Any item that interferes with learning or presents a safety threat is not allowed.

### **DRESS CODE VIOLATIONS**

Parents will be asked to bring the uniform to school. Any consequences are at the administrator's discretion, PLEASE NOTE: The Administration reserves the right to modify or change the dress code policy as necessary to ensure the safety of the students and the quality of instruction.

**Uniform Waiver not Applicable to Ida Jew Charter School** -Parents/ Guardians may request a uniform waiver. Waivers are available at the district office and a meeting with the administration is requested to discuss the waiver and dress code. Students that have a uniform waiver must still adhere to the dress code guidelines listed above.

### **WILLFUL FORCE OR VIOLENCE - REPORTING**

For purposes of notification to parents, and for the reporting of expulsion or suspension offenses to the State Department of Education, each school district shall specifically identify, by offense committed, in all appropriate official records of a student each suspension or expulsion of that student for the commission of any offenses in EC 48900(a-o), 48900.2, 48900.3, 48900.4, 48915(a)(1 -5), or 48915(c)(1 -4), 48900.8.

### **RIGHTS OF PARENTS AND GUARDIANS TO INFORMATION**

The parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and 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.
6. To request a particular school for their child, and to receive a response from the school district.
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. [EC § 51101]

### **PARENT PARTICIPATION IN SCHOOL MEETINGS**

If the parent's employer has 25 or more employees, the parent must be allowed to attend school meetings and events for your children, up to a maximum of 40 hours each year without discrimination or fear of job loss. Purposes to attend child-related activities include: enrollment in grades 1-12, to address childcare or school emergency, behavior or discipline problem that requires immediate parent attention, sudden school closure, or natural disaster. (Parent'' means a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in.) If an employer discharges, threatens to discharge, demotes, suspends or

otherwise discriminates against the parent, the employee may be entitled to reinstatement and reimbursement for lost income or benefits. See Labor Code 230.8 for more details.

### **GUN FREE SCHOOL ZONE**

California prohibits any person from possessing a firearm on, or within 1,000 feet from, the grounds of a public or private school, unless it is with the written permission of *[title of the school official]*. This does not apply to law enforcement officers, any active or honorably retired peace officers, members of the military forces of California or the United States, or armored vehicle guards engaged in the performance

### **GUN SAFETY**

This is a reminder that firearms are to be stored safely away from children and teens the accidental shooting of children and youth is the third leading cause of death following accident and suicide, California public schools are mandated to remind families to keep their home from such potential dangers, If there is a threat or perceived threat, the public schools will cooperate with local law enforcement. [EC3221.5] Gun violence and the threat of incidents in our schools impact the feeling of safety for students and staff alike. Over the past six years, the frequency of school shooting incidents has greatly increased. According to the K-12 School Shooting Database, in 2023 there were 348 incidents. Community members can help by:

- Familiarizing yourself with the Be SMART campaign
  - S- Secure all firearms
  - M - Model responsible behavior around firearms
  - A - Ask about the presence of unsecured firearms in homes
  - R - Recognize the role of firearms in suicide
  - T - Tell your peers to be S-M-A-R-T
- Reviewing and sharing the Safe Storage Fact Sheet
- Voluntarily surrendering firearms to the Sheriff's Office

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### **POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS(PBIS) – BEST**

Every student, has the right to be educated in a safe and respectful environment. Every educator has the right to teach in an atmosphere free from disruption. To this end, the district has adopted a school wide Positive Behavior Intervention and Support ( PBIS) /BEST program.

BEST is based on research that indicates that the most effective discipline systems use strategies designed to prevent discipline problems. Before consequences are given, students must first be supported in learning the skills necessary to be successful.

Each school will develop a positive behavior approach that includes: explicitly teaching school rules and expectations; positively reinforcing appropriate student behavior; classroom behavior plans using effective classroom management routines; providing early intervention and support strategies for misconduct; and appropriate use of meaningful consequences.

All stakeholders have responsibilities in assuring a safe and positive environment for learning.

### **STUDENT RESPONSIBILITIES**

Students are expected to learn and follow all school and classroom rules and demonstrate appropriate social skills when interacting with both adults and peers.

#### **1. BE SAFE**

- I am responsible, like everyone else, for maintaining safety at school.
- I help maintain a clean and safe campus that is free of graffiti, weapons, and drugs.
- I report any bullying or harassment.

- I avoid conflicts and physical or verbal violence.

## 2. BE RESPECTFUL

- I treat others the way I want to be treated.
- I respect laws, rules, and school authority.
- I treat people fairly and respect their rights.

## 3. BE RESPONSIBLE

- I take responsibility for my actions.
- I choose how I respond to others.
- I come to school regularly and on time, ready to learn.
- I help to create a positive school environment.

### **PARENT/CAREGIVER RESPONSIBILITIES**

Parents/Caregivers will take an active role in supporting the school's efforts to maintain a welcoming school climate.

1. Support the implementation of the school's Behavioral Plan.
2. Be familiar with and review the School Rules and Expectations with their children.
3. Reinforce positive behavior and acknowledge their children for demonstrating appropriate conduct.
4. If misconduct escalates, parent/caregivers will cooperate with the school as a collaborative partner to address student's needs.
5. Send the student to school prepared for work--with books, pencil, homework, and in uniform or in compliance with the dress code.
6. Insure that the student attends school regularly and is on time.

### **TEACHER RESPONSIBILITIES**

Each teacher has a fundamental role in supporting a positive classroom and school. This includes utilizing effective positive classroom management strategies to create an environment conducive to learning and prevent misconduct. The teacher is responsible for:

1. Defining, teaching, and reviewing classroom and school behavioral expectations and school rules.
2. Developing and communicating a positive Classroom Management Plan.
3. Acknowledging and reinforcing appropriate student behavior.
4. Working with families to reinforce appropriate behavior (communicating through meetings, phoning, and emailing).
5. Addressing, responding and reporting any acts of bullying or harassment.
6. Reporting significant misbehavior to the school administrator for a student who engages in ongoing misconduct, despite appropriate interventions.

### **PRINCIPAL RESPONSIBILITIES**

School administrators, in collaboration with instructional staff and community support, are responsible for establishing a caring school climate and safe environment by:

1. Ensuring that behavioral expectations and school rules will be taught, enforced and communicated to students, parents/caregivers, staff and community.
2. Ensuring that ongoing accurate data are inputted into the district student data base for all students.
3. Providing necessary support for staff and parents/caregivers in maintaining an environment conducive to learning.
4. Collaborating and partnering with after-school programs and outside agencies when appropriate.
5. Assembling an ongoing collaborative team at the school(e.g. Student Study Teams) with appropriate staff and the parent/caregiver(s) to address behaviors for students who engage in ongoing misconduct, despite appropriate interventions.

### **DISTRICT RESPONSIBILITIES**

Supporting a positive school culture, and developing appropriate student discipline practices are district priorities. District staff play an active supportive role and are responsible for:

1. Ensuring alignment and ongoing training of all district offices, programs, policies and schools in the successful implementation of BEST: initiatives with the *Positive School Climate Policy*.
2. Regularly identifying, developing, maintaining and coaching prevention and intervention activities consistent with BEST PBIS.
3. Analyzing data, monitoring, and evaluating school practices in order to address situations where practices need to be strengthened.
4. Assisting sites in the use of data in developing school-wide positive behavior interventions & support.

### **PROTECTING AND RESPECTING PRIVACY IN A DIGITAL WORLD-**

FROM COMMON SENSE MEDIA <http://www.commonsensemedia.org/>

#### **WHAT'S THE ISSUE?**

Our kids live in a culture of sharing that has forever changed the concept of privacy. In a world where everyone is connected and anything created online can be copied, pasted, and sent to thousands of people in a heartbeat, privacy starts to mean something different than simply guarding personal or private information. Each time your child fills out a profile without privacy controls, comments on something, posts a video, or texts a picture of themselves to friends, they potentially broadcast themselves to the world.

#### **WHY DOES IT MATTER?**

Digital life is both public and permanent. Everything our kids do online creates digital footprints that migrate and persist. Something that happens on the spur of the moment – a funny picture, an angry post – can resurface years later. And if kids aren't careful, their reputations can be harmed. Your child may think he or she just sent something to a friend – but that friend can send it to a friend's friend, who can send it to their friends' friends, and so on. That's how secrets become headlines and how false information spreads fast and furiously. The stakes only increase when we remember that all of this takes place in front of a huge, invisible audience. Kids' deepest secrets can be shared with thousands of people they've never even met.

#### **COMMON SENSE SAYS**

**Help kids think long term.** Everything leaves a digital footprint. Whatever gets created may never go away. If they don't want to see it tomorrow, they'd better not post or text it today. Explain to them that nothing is really private online – no matter what they think. Privacy settings aren't infallible. Others can pass on information that is supposed to be private. It's up to kids to protect themselves by thinking twice before they post anything that could damage their reputation or that someone else could use to embarrass or hurt them.

**Teach kids to keep personal information private.** Help kids define which information is important for them to keep private when they're online. To start, we recommend that kids not share their addresses, phone numbers, or birth dates.

**Make sure your kids use privacy settings on their social network pages.** Encourage kids to think carefully about the nature of their relationships (close friends, family, acquaintances, strangers) and adjust their privacy settings accordingly.

**Remind kids to protect their friends' privacy.** Passing along a rumor or identifying someone in a picture (called "tagging") affects other people's privacy. If your kids are tagged in friends' photos, they can ask to have the photos or the tags removed. But beyond that, there's not too much they can do.

**Remind kids that the Golden Rule applies online.** What goes around comes around. If kids spread a rumor or talk poorly about someone, they can't assume that what they post will stay private. Whatever negative things they say can and probably will come back to haunt them, in more ways than they can imagine.

### **BULLYING BEHAVIOR/HARASSMENT PREVENTION AND INTERVENTION PLAN**

The Mt. Pleasant School District believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

The Mt. Pleasant School District Staff will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions. Such behavior includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and

social isolation exclusion or manipulation.

The Mt. Pleasant School District expects students and/or staff to immediately address and report incidents of bullying to the principal or designee. Staff members are expected to immediately intervene when they see a bullying incident occur or are made aware of such an incident. Each complaint of bullying should be promptly investigated according to site procedures. This policy applies to students on school grounds, while they are traveling to and from school or a school-sponsored activity. This policy also applies to incidents of cyber bullying.

To ensure bullying does not occur on school campuses, the Mt. Pleasant School District will provide staff development training in prevention of bullying and help cultivate acceptance and understanding in all students and staff to develop each school's ability to maintain a safe and healthy learning environment.

The Mt. Pleasant School District teachers will discuss this policy with students in ways appropriate to their ages. Teachers will assure all students that they need not endure any form of bullying or harassment and should not be either victims or bystanders to bullying. Students who bully others are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Each school has a Student Code of Conduct to be followed by every student while on school grounds, or when traveling to and from school or a school-sponsored activity, and during lunch period, whether on or off campus. The Student Code of Conduct includes, but is not limited to:

Any student who engages in bullying may be subject to disciplinary action up to and including expulsion. Students are expected to immediately report incidents of bullying to the principal or designee.

Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal or the Office of Student Services. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

All staff, students and their parents will receive a summary of this policy prohibiting bullying: at the beginning of the school year, as part of the District handbook and/or information packet The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.

Staff is expected to immediately intervene when they see a bullying incident occur.

People witnessing or experiencing bullying are encouraged to report the incident; such reporting will not reflect on the victim or witnesses in any way.

## **Procedures for Investigating and Responding to Bullying Incidents**

### **Reporting**

The Site Principal shall establish and publicize to students, staff, and community how to report incidents of bullying and actions that may be taken. The process for receiving and investigating instances of bullying of any kind, as defined within this policy, includes complaints of discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics. School personnel who witness such acts of bullying as defined within this policy shall take immediate steps to intervene. Complaints of bullying shall be investigated and resolved in accordance with site-level investigation

### **Reporting any act of bullying:**

The principal/designee is responsible for receiving oral or written complaints alleging bullying or harassment. Reporting forms are available in the school office and on each school's website under the Parents tab.

Students may report complaints of bullying to any school employee. Any such reports of bullying allegations must be forwarded, in writing, to the principal/designee. Any member of the school community who may

have credible information about an act of bullying that may have taken place may file a report of bullying either as a witness or a victim.

Any student (or a parent or guardian on behalf of the complainant who is a minor) who believes he/she is a victim of bullying, has witnessed an act of bullying, or has knowledge of any incidents involving acts of bullying are strongly encouraged to report the incidents to a school official.

The Principal/designee(s) shall document in writing all complaints regarding bullying to ensure that incidents of bullying, or any other infractions, are appropriately addressed in a timely manner, whether the original report of bullying is made verbally or in writing.

Anonymous reports of bullying may be made to the appropriate school official. School officials should develop and publicize a system in which students, employees, volunteers, parents/guardians can make an anonymous report of bullying.

The principal/designee and/or Investigative Designee shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner. This process is to be followed with all anonymous complaints as well. School officials should investigate all complaints and reports of harassment, whether or not the complaint is in writing.

## **CYBER BULLYING**

### **What is cyber bullying?**

Cyber bullying is harassing other individuals through communication technologies such as the Internet, emails, chat rooms, cell phones, on-line journals/blog sites and instant messages.

### **How is cyber bullying different than "traditional" forms of bullying?**

In traditional forms of bullying victims know their bullies. When youth are cyber bullied they receive messages from individuals anonymously or from individuals with electronic aliases. A victim's cyber bully can be his/her best friend. Traditional bullying typically occurred at school or on the way to and from the school ground. Victims of cyber bullying often cannot hide from their bullies, and they can be victimized in their own home 24 hours a day, 7 days a week - wherever and whenever they access their electronic equipment.

### **How pervasive is the problem?**

It is difficult to assess the extent of the problem because this is a relatively new phenomenon in the U.S. Most of the available research has been conducted in England, Australia, New Zealand, and Canada - countries that have been impacted by cyber bullying for several years. Data from England shows that 1 in 3 children between the ages of 7 and 11 have their own mobile phones, and a 2002 British survey found that one in four youth, aged 11 to 19 has been threatened, including death threats, via their computers or cell phones.

### **What are some examples of cyber bullying?**

The most popular form of cyber bullying is nasty text messages sent via cell phones. Children or adults who are harassed by cell phone can receive up to 50 messages a day (the phone's mailbox limit). Other uses of cell phones include taking a picture with a camera phone and then posting the picture where hundreds or thousands of others can view it. Several incidents have occurred where students have been in a locker room, shower, or bathroom and a picture was taken of them and posted to an Internet site. Another example of cyber bullying includes on-line voting booths that allow students to vote for the ugliest, fattest, or dumbest boy/girl at a given school. People can also be bullied through instant messages that are delivered to their home computer when they log on to use the Internet or check email.

### **Why should I be concerned?**

Research on traditional bullying indicates there are both short and long-term consequences on victims such as, low self-esteem, depression, illness, anxiety, absenteeism, and thoughts of suicide. Although research about how victims and bullies are impacted by cyber bullying is still being conducted, preliminary data suggests that cyber bullying may have more devastating effects than traditional counterpart. Cyber bullying

also impacts schools. Although incidents that happen in cyber space may occur off school campus, the effects are seen and felt in the school's climate. Cyber bullying incidents that go unaddressed can escalate and be the cause of legal concerns for schools or school systems.

### **What can be done?**

First and foremost, parents, teachers, law enforcement, and other concerned adults need to be aware of the technology young people are using and the dangers that the various forms of communication can present. Adults should also be aware of the impact that bullying can have on young people and where one can turn for help should their child be involved with cyber bullying.

### **Tips for children**

- Be careful of whom you give your number or on-line address.
- Never give out your password!
- Do not respond to messages from people you do not know.
- Do not respond to electronic bullying messages.
- Save or print harassing messages.
- Report harassment to parents and school officials.
- Never meet on-line acquaintances without an adult present.
- Change your on-line account or cell phone accounts if necessary.
- Don't send any message or picture that you would not want your parents or strangers to see.

### **Tips for parents**

- Talk with children about the threat of on-line or electronic bullies.
- Place the computer in a familiar place where its use can be monitored.
- Watch your children's reactions when email, instant messages or texts come in.
- Consider purchasing software that records instant messages.
- Monitor your child's text messages, email and social networking sites on the computer and other electronic devices
- Know whom to contact if your child is involved in cyber bullying.

### **Tips for educators**

- Educate teachers and students about the seriousness of the problem.
- Amend anti-bullying policies to include electronic bullying.
- Teachers should discuss Internet safety with their students.
- Educate parents about cyber bullying and who they should contact if their child is involved in a bullying incident.

### **For more information visit the following sites:**

For victims: [www.bullying.org](http://www.bullying.org)

General information: [www.cyberbullying.ca](http://www.cyberbullying.ca) or [www.media-awareness.ca](http://www.media-awareness.ca)

For more information contact the Public Health Department's Violence Prevention Program, 408.494.7844

### **NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

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

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

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

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

- Parents or eligible students who wish to ask the school to amend a record should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. Refer to the section in the handbook entitled, "Challenges to Pupil Record Information" for further details.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

- One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

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

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student.

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. [§99.31(a)(1)]
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. [§99.31(a)(2)]
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. [§§99.31(a)(3) and 99.35]

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. [§99.31(a)(4)]
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. [§99.31(a)(5)]
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. [§99.31(a)(6)]
- To accrediting organizations to carry out their accrediting functions. [§99.31(a)(7)]
- To parents of an eligible student if the student is a dependent for IRS tax purposes. [§99.31(a)(8)]
- To comply with a judicial order or lawfully issued subpoena. [§99.31(a)(9)] To appropriate officials in connection with a health or safety emergency, subject to §99.36. [§99.31(a)(10)]
- Information the school has designated as "directory information" under §99.37. [§99.31(a)(11)]

Directory information, is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. The primary purpose of directory information is to allow the school or school district to include information from your child's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists; and
- Graduation programs
- Photos, without names

Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information: names, addresses and telephone listings, unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want your school or school district to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the school. Any and all of the following items of directory information relating to a pupil may be released to a designated recipient unless a written request is on file to withhold its release as indicated in the Information Release Form submitted to the school.

- Name
- Address
- Date of birth
- Dates of attendance (e.g., by academic year or semester)
- Current and most previous school(s) attended
- Degrees and awards received

### **COMPLAINT PROCEDURES-**

How to file a complaint: **If an individual is filing a complaint there are different procedures depending on the area of concern, complaints do not have to be on a District form but must be submitted in writing and contain all necessary information, only a Williams Complaint may be filed anonymously.** Language assistance or assistance with writing the complaint will be provided if necessary. It is highly encouraged that concerns are expressed to the school principal before submitting a formal complaint in order to allow the school to respond to the concerns. MPESD will use the appropriate procedures to investigate the complaint based on the area

of concern. To file a formal complaint, please contact Ms. De La Rosa, in the Superintendent's Office at 408 223-3710 to request a complaint form. Further information is available at [www.mpesd.org](http://www.mpesd.org). Described below are the different types of complaint procedures

### **LOCAL DISTRICT COMPLAINT PROCEDURES**

General complaints related to an employee, school procedures, student or other matter that does not fall under another complaint procedure. Complaints should be filed in writing with the School Principal or Superintendent's office.

### **UNIFORM COMPLAINT PROCEDURES**

The Uniform Complaint Procedures (UCP) complaint is a written and signed statement by alleging a violation of federal or state laws or regulations, related to, and all programs and activities that are subject to the UCP. The person who receives the complaint shall complete the investigation and respond to the complainant in writing within 60 days. The complainant may appeal to CDE within 15 days if not in agreement with the final report. See complete UCP Policy and Regulations on next page.

### **WILLIAMS COMPLAINT POLICY & PROCEDURES**

William's complaints are specific to safe and clean facilities, teacher vacancy or misassignments, and availability of adopted instructional materials.

- Sufficient adopted textbooks and instructional materials. That means that each pupil, including English learners, must have access to a textbook or instructional material, or both, to use in class and to take home.
- School Facilities must be clean, safe, and maintained in good repair
- No teacher vacancies or mis-assignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teachers should have the proper credential to teach the class, including the certification to teach English learners if present. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint may be filed. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. Individuals are highly encouraged to express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns. [EC 35186]

### **SEXUAL HARRASSMENT COMPLAINT PROCEDURES**

A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator, regardless of whether the alleged victim files a formal complaint. All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures. [cf. 5145.71]

### **SPECIAL EDUCATION COMPLAINT PROCEDURES**

A state compliance complaint may be filed if there is a concern that violated federal, or state special education laws or regulations have been violated. The written complaint must specify at least one alleged violation of federal and state special education laws occurred not more than one year prior to the date the complaint is received. A copy of the complaint must be provided to the school district at the same time it is filed with the CDE. More information can be obtained on filing a [www.cde.ca.gov/sp/se/qa/cmplntproc.asp](http://www.cde.ca.gov/sp/se/qa/cmplntproc.asp). Complaints not alleging violation of federal, or state laws should use local procedures.



6. Childcare and development programs(E.C. 8200-8488)
7. Compensatory education (E.C. 54400)
8. Consolidated categorical aid programs (E.C. 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (E.C. 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, a person's actual or perceived race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; any other characteristic identified in E.C. 200 or 220, Government Code 11135, or Penal Code 422.55; or based on the person's association with a person or group with one or more of these actual or perceived characteristics However, the UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)
11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and newcomer students
12. Every Student Succeeds Act (E.C. 12030, 52059.5, 64000; 20 USC 6301 et seq.)
13. Instructional Materials and Curriculum: Diversity (E.C. 243)  
A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI).
14. Local control and accountability plan (E.C. 52075)
15. Migrant education (E.C. 54440-54445)
16. Physical education instructional minutes (E.C. 51210, 51222, 51223)
17. Student fees (E.C. 49010-49013)
18. Reasonable accommodations to a lactating student (E.C. 222)
19. Regional occupational centers and programs (E.C. 52300-52334.7)
20. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (E.C. 64001)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (E.C. 65000)
22. State preschool programs (E.C. 8200-8488, 33315)
23. State preschool health and safety issues in license-exempt programs (E.C. 8212)
24. School or athletic team names, mascots, or nicknames pursuant to E.C. 221.3
25. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
26. Any other state or federal educational program the SPI or designee deems appropriate

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

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

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

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

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

### **Non-UCP Complaints**

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity, was subjected to sexual harassment. Such a complaint shall be addressed through the federal Title IX complaint procedures as specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in Administrative Regulation 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Civil Rights Department
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance (5 CCR 15580-15584)
7. Any complaint alleging discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures (E.C. 35186)

### **UNIFORM COMPLAINT PROCEDURE REGULATION 1312.3**

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

### **Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in Administrative

Regulation 5145.3 - Nondiscrimination/Harassment, who is responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying, and in Administrative Regulation 5145.7 - Sexual Harassment, who is responsible for handling complaints regarding sexual harassment.

**Superintendent**  
**Mount Pleasant School District**  
**3434 Marten Avenue\_**  
**408 223-3710**  
**emacarthur@mpesd.org**

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

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

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

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

### **Notifications**

The district's UCP policy and administrative regulation shall be posted in all schools and offices, including staff lounges and student government meeting rooms. (E.C. 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include, but need not be limited to, all of the following:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such person(s) will be knowledgeable about the laws and programs that they are assigned to investigate

3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities  
A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
6. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the district, students who are migratory, and newcomer students as specified in E.C. 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
8. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision  
A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
9. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to E.C. 221.61 and 34 CFR 106.8 shall be posted on district and school websites, published in handbooks or catalogs, and may be provided through district-supported social media, if available.

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

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

### **Filing of Complaints**

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

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

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance (E.C. 49013, 52075)

A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. (E.C. 49013)

A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred (5 CCR 4630)

For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)

3. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying (5 CCR 4630)
4. 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 (5 CCR 4630)

The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

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

When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

### **Mediation**

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

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment,

intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

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

### **Investigation of Complaint**

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving the complaint.

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

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

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

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### **Timeline for Investigation Report**

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

### **Investigation Report**

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

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law

3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with E.C. 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

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

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint.

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

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

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE (E.C. 262.3)  
The 60-day moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law (E.C. 262.3)
2. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education's Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination

### **Corrective Actions**

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

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

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

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

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support

5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

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

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

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

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

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

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

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

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

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP

6. Other relevant information requested by CDE

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

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

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

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

**SEXUAL HARASSMENT** BP 5145.7

**Students**

The district does not discriminate on the basis of sex in any of its programs or activities and complies with Title IX of the Education Amendments of 1972 and its implementing regulations.

The Governing Board is committed to maintaining a welcoming, safe, and supportive school environment that is free from discrimination and harassment. The Board prohibits at district or at district-sponsored or district-related activities, sexual harassment, as defined in the accompanying administrative regulation, targeted at any student.

Additionally, the Board prohibits retaliatory behavior or action against any person who reports, files a complaint, testifies about, assists with, or otherwise supports a complainant in alleging sexual harassment, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (E.C. 220.1, 221.8; 34 CFR 106.71)

The district strongly encourages students who feel that they are being or have experienced sexual harassment on district grounds or at a district-sponsored or district-related activity, or off-campus when the conduct has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sexual harassment by or against a student in a district education program or activity shall report the incident to the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure that the complaint alleging sexual harassment is addressed through Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures or Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures, as applicable. Additionally, the Title IX Coordinator shall ensure that any implementation of Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures concurrently meets the requirements of Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures.

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

The Superintendent or designee shall inform students and parents/guardians of this policy in the manner specified in the accompanying administrative regulation.

The Superintendent or designee shall ensure that all district staff are trained regarding this policy, and that employees required to receive training related to their duties under Title IX receive training as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sexual Harassment. (Government Code 12950.1; 2 CCR 11023, 11024; 34 CFR 106.45)

### **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to the harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

### **Disciplinary Actions**

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

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

### **Record-Keeping**

The Superintendent or designee shall maintain records in accordance with law, including in accordance with Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures, and district policies and regulations, of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

## **SEXUAL HARASSMENT AR 5145.7**

## **STUDENTS**

### **Definitions**

*Sexual harassment* is a form of sex discrimination and means sexual harassment and other harassment on the basis of one, or a combination of two or more protected characteristics, which include, but may not be

limited to, sex; gender; gender identity; gender expression; sexual orientation; sex stereotypes; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status. (E.C. 200, 210.2, 220, 221.51, 230, 260; Government Code 11135; 20 USC 1681-1688)

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: (E.C. 212.5; 5 CCR 4916)

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

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

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

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

### **Title IX Coordinator/Compliance Officer**

The district designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX. The individual shall also serve as the Compliance Officer specified in Administrative Regulation 1312.3 - Uniform Complaint Procedures and Administrative Regulation 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle student complaints alleging unlawful discrimination, as permitted by law. The Title IX Coordinator may be contacted at:

Director of Student Support Services  
3434 Marten Avenue, San Jose, CA 95148  
408 223-3740  
lbretton@mpesd.org

### **Notifications**

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

The district shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

The Superintendent or designee shall ensure that a copy of the district's sexual harassment policy and regulation:

1. Is included in the notifications that are sent to parents/guardians at the beginning of each school year (E.C. 48980; 5 CCR 4917)
2. Is displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (E.C. 231.5)
3. Is summarized on a poster, which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (E.C. 231.6)
4. Is posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students (E.C. 234.6; 34 CFR 106.8)
5. Is provided as part of any orientation program conducted for new and continuing students at the time the student is enrolled or at the beginning of each quarter, semester, or summer session (E.C. 231.5)
6. Appears in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (E.C. 231.5)

### **Reports and Complaints**

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

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

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

All complaints alleging sexual harassment against students in the school setting shall be investigated and resolved in accordance with law and district procedures. The district's Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures.

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

### **TYPE 2 DIABETES INFORMATION**

Pursuant to California E.C. Section 49452.7, this type 2 diabetes information is for local educational agencies to provide to parents and guardians of incoming seventh grade students.

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.

**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.**

**Risk Factors Associated with Type 2 Diabetes**

- 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 are 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.

## **Type 2 Diabetes Screening Tests**

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 prediabetes (a condition which may lead to type 2 diabetes). The primary test used to diagnose type 1 diabetes in children is the:

- **Random blood sugar test.** A blood sample is taken at a random time. Blood sugar values are expressed in milligrams per deciliter (mg/dL) or millimoles per liter (mmol/L). Regardless of when the child last ate, a random blood sugar level of 200 mg/dL (11.1 mmol/L) or higher suggests diabetes. If the child's random blood sugar test results don't suggest diabetes, but the doctor still suspects it because of the child's symptoms, the doctor may do a:
- **Glycated hemoglobin (A1C) test.** This blood test indicates an average blood sugar level for the past two to three months. It works by measuring the percentage of blood sugar attached to hemoglobin, the oxygen-carrying protein in red blood cells.

The higher the blood sugar levels, the more hemoglobin that has sugar attached. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.

Another test a doctor may use is a fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL (5.6 mmol/L) is normal. A fasting blood sugar level from 100 to 125 mg/dL (5.6 to 6.9 mmol/L) is considered prediabetes. If it's 126 mg/dL (7.0 mmol/L) or higher on two separate tests, the child will be diagnosed with diabetes.

If a child is diagnosed with diabetes, the doctor will also run blood tests to check for autoantibodies that are common in type 1 diabetes and help doctors distinguish between type 1 and type 2 diabetes. The presence of ketones – byproducts from the breakdown of fat – in the child's urine also suggests type 1 diabetes rather than type 2.

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

## **WRITTEN NOTIFICATION REQUIREMENT OF PARENTAL RIGHTS REGARDING THE USE OF PUBLIC BENEFITS OR INSURANCE**

### **Notification Requirement**

Parents must be provided with the written notification before the LEA may seek to access the child's or parent's Medi-Cal benefits for the first time (and prior to obtaining the one-time parent consent described below) and annually thereafter (34 CFR Section 300.154[d][2][iv],[v]). The notification must be written in a language that is understandable to the general public and in the native language, or in another mode of communication used by the parent; unless it is clearly feasible not to do so (34 CFR Section 300.503[c]).

### **Parental Consent**

If the LEA has not previously accessed Medi-Cal benefits to pay for related services that it was required to provide to the student under the IDEA at no charge, it must obtain a one-time written consent from the parent. The consent requirement has two parts per 34 CFR Section 300.154(d):

1. Consent for disclosure of the student's personally identifiable information to the state agency (Department of Health Care Services) administering Medi-Cal. The LEA is required to obtain written consent prior to disclosing personally identifiable information for billing purposes. The consent must specify the personally identifiable information that the LEA may disclose (for example, records or information about the services provided to the student), the purpose for disclosure (billing for special education and related services), and the agency to which the LEA may disclose the information (for example, county mental health plan) (34CFR Section 300.154[d][2][iv][A]).
2. A statement to access Medi-Cal. Consent must include a statement specifying that the parents understand and agree that the LEA may use the student's Medi-Cal benefits to pay for special education and related services under 34 CFR part 300 (IDEA) (34 CFR Section 300.154[d][2][iv][B]).

If the parent previously provided consent to the LEA to access the student's Medi-Cal benefits to pay for special education and related services under the IDEA prior to March 18, 2013, the effective date of the amendments to 34 CFR Section 300.154, the LEA is not required to obtain new consent from the parents as long as the following two conditions are present:

1. There is no change in the type of service to be provided to the student, the amount or duration of services to be provided, or the cost of the services.
2. The LEA has on file the previous consent that met the requirements that were in effect at the time that consent was provided.

Even if the LEA is not required to obtain a new written consent from the parent, it must provide the annual notification to the parent, prior to continuing to bill Medi-Cal for special education and related services.

### **No Cost Provisions**

The "no cost" provisions include:

- A LEA may not require a parent or student to enroll in Medi-Cal (or any other public benefit or insurance) in order for
- the student to receive a free appropriate public education. The LEA cannot make enrollment in Medi-Cal a condition for providing special education and related services required under the IDEA at no charge to the student and his/her parent (34 CFR Section 300.154[d][2][i]).
- A LEA cannot require the student or his/her parent to pay for out-of-pocket expenses, such as a co-pay or deductible, for filing a claim for services that the LEA is required to provide as special education or related services free of charge (34 CFR Section 300.154[d][2][iii]).
- A LEA may not use a student's Medi-Cal benefits if using the benefits would:
  - Decrease the available lifetime coverage or any other insured benefit, such as the allowable amount of a service (for example, number of sessions of mental health services)
  - Cause the student or his/her parent to pay for services otherwise covered by Medi-Cal that the student requires outside the time that the student is at school
  - Cause the parent to risk the loss of the student's eligibility for home and community based waivers that are based on total health related expenditures. (34 CFR Section 300.154[d][2][iii] [A-D])
  - Cause an increase in the premium or lead to cancellation of Medi-Cal benefits

### **Withdrawal of Consent**

In this context, consent means:

- The parent has been fully informed of all information relevant to the activity for which consent is sought (Medi-Cal billing), in his/ her native language or other mode of communication.

- The parent understands and agrees in writing to the implementation of the activity for which consent is sought, and the consent describes that activity and lists the records that will be released and to whom.
- The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.
- If a parent revokes consent, that revocation is not retroactive. (34 CFR Section 300.9).

Under 34 CFR part 99 and 34 CFR part 300, parents have the right at any time to withdraw consent for the use of their, or their student's, public benefits or insurance (Medi-Cal) (34 CFR Section 300.154[d][2][v][C]. If a parent no longer wishes to allow a LEA to bill the student's Medi-Cal benefits for special education and related services, consent can be withdrawn for the LEAs to disclose the student's personally identifiable information for Medi-Cal billing. As Family Educational Rights and Privacy Act and IDEA regulations do not contain procedures for withdrawal of consent for disclosure of a student's personally identifiable information, each LEA should consider developing local policies and procedures to cover parental and student withdrawal of consent.

**AVAILABLE LANGUAGE PROGRAMS AND LANGUAGE ACQUISITION PROGRAMS**

MPESD offers the following language and language acquisition programs. Parents/Guardians may choose a language acquisition program that best suits their child (EC Section 310[a]). MPESD offers the following language acquisition programs:

- Structured English Immersion Program: A language acquisition program for EL students in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered designated ELD and provided access to grade level academic subject matter content with integrated ELD.
- Spanish Dual-Language Immersion Program (English/Spanish) at Ida Jew Academy. Also referred to as Two-Way Immersion. A language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program should be designed using evidence-based research and include both designated and integrated ELD. Typically, this program begins in transitional kindergarten/kindergarten (TK/K) and continues to sixth grade, but can continue through high school.

**How to Enroll Your Child in a Language Acquisition Program:**

If you would like to enroll your child in the Spanish Dual-Language Immersion Program at Ida Jew Academy ALAS, please inquire with your child's front office staff. \*Waivers are no longer required.

**How to Request the Establishment of a New Program at a School:**

Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. Submit a written request to the office at your local school. [EC Section 310[a]]

**ABOUT LANGUAGE ACQUISITION PROGRAMS AND LANGUAGE PROGRAMS**

Program Type	Characteristics
Language Acquisition Program (English Learners)	The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall: <ul style="list-style-type: none"> <li>• Be designed using evidence-based research and include both Designated and Integrated English Language Development;</li> <li>• Be allocated sufficient resources by the local educational agency (LEA) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and</li> </ul>

	<ul style="list-style-type: none"> <li>● Within a reasonable period of time, lead to: <ul style="list-style-type: none"> <li>○ Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and</li> <li>○ Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state- adopted academic content standards in that other language.</li> </ul> </li> </ul>
Language Program Spanish Dual Language Program at Ida Jew Academy	<ul style="list-style-type: none"> <li>● Language programs offer students who are not English learners opportunities to be instructed in languages other than English</li> <li>● May lead to proficiency in languages other than English (in Spanish)</li> </ul>

**Parent and Community Engagement**

Parents may provide input regarding language and language acquisition programs in the LEA or to be considered in the LEA during the development of the Local Control and Accountability Plan.

**CONTROVERSIAL ISSUES- OPT OUT DUE TO RELIGIOUS REASONS**

MPESD endeavors to provide instruction in an environment where all students and families are positively represented in the curriculum and school climate. This includes acknowledging different types of families, identities, and religions. Our purpose is to teach tolerance and understanding in a diverse society. Students do better when they see themselves represented. This may include age-appropriate books that include LGBTQ+ characters and relationships.

Parents have the right to opt their child out of instruction that they believe undermines their specific religious values. If a parent wishes to opt out of certain instructional materials, please submit a request in writing to the Principal. In the event a child is opted out, an alternative educational activity will be provided. Student's may not be opted out of instruction that includes the history of diverse groups and struggles to achieve human rights.

