

WEST RANDALL ELEMENTARY SCHOOL
15620 Randall Avenue
Fontana, CA 92335

STUDENT/PARENT HANDBOOK

2025-2026



Be Safe*Be Respectful*Be Responsible

Superintendent

Miki R. Inbody

Board of Education

Adam Perez – President

Danielle Holley – Vice President

Angel Ramirez – Board Member

Mary Sandoval – Board Member

Marcelino “Mars” Serna – Board Member

From the Principal

The staff welcomes you to West Randall Elementary School. As we begin our year, we want to provide you with general information about our school's programs, policies, and procedures. This handbook will assist you with some of your questions about many of our school procedures. If you need further information, feel free to call our office at (909) 357-5780. We look forward to a great year of learning!

Sincerely,

Yuliana Guerra Ed. D, Principal
West Randall Elementary School

Office Hours: 7:00 – 3:30

Office: (909) 357-5780

ASES: (909) 350-6585

Fax: 909) 357-7625

Please get a visitor badge in the office before entering the campus.

OFFICE STAFF

Yuliana Guerra, Ed. D., Principal

Brenda Cardona, Secretary

Rosana Villegas, Office Clerk

Vacant, Community Aide

Grisel Del Rio, Health Assistant

Marlene Bacani, Nurse

Bruce Crafa, Library Assistant

2025-2026 School Year

Student/Parent Handbook - Signature Page

My child and I have read and discussed this handbook.

Student's Name: _____ Teacher: _____

Student's Signature: _____ Date: _____

Parent's Signature: _____ Date: _____

**Please sign and detach this page. Give the signed form
to your child's teacher.**

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Dear West Randall Elementary Community,

I am delighted to introduce myself as the new Principal of West Randall Elementary. It is with great enthusiasm and a deep sense of commitment that I join this esteemed community, dedicated to nurturing academic excellence and fostering a supportive learning environment.

With over 17 years of experience in education, I bring a passion for student-centered leadership and a strong belief in the power of collaboration among students, educators, families, and the wider community. Last semester, I had the opportunity to serve as the interim principal and shared with you then that I am a Fontana Unified graduate and that I came back as a teacher, teacher on assignment, and assistant principal. I am very fond of our community and excited to now serve as West Randall's principal. My professional journey has equipped me with insights into curriculum development, instructional strategies, and fostering a positive school culture where every student can thrive.

I am eager to build upon the rich traditions and achievements of West Randall Elementary, working closely with all stakeholders to ensure that our students receive the highest quality education. Together, we will continue to celebrate diversity, promote inclusivity, and prepare our students for success in an ever-changing world.

I look forward to getting to know each of you and working together to uphold the values and vision of West Randall.

Thank you for your warm welcome, and I am excited about the journey ahead.

Warm regards,

Yuliana J. Guerra, Ed. D
Principal

2025-26 SCHOOL HOURS

Kinder through 6th Grade

Student Arrival	7:00 – 7:45
Breakfast	7:15 – 7:45
Regular Day Hours (M, T, Thu, Fri)	7:45 – 2:20
Weekly Minimum Day (Wednesday)	7:45 – 11:50

Preschool Inclusion

Pre-School	7:45 – 11:45
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Transitional Kindergarten (TK)

AM Hours	7:45 – 12:30
PM Hours	9:35 – 2:20
TK AM & TK PM (Wednesday)	9:05 – 11:50

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS **(PBIS)**

West Randall is in the sixth year of our school-wide behavior support system, called PBIS. Our school uses evidenced-based interventions to increase positive behavior and academic growth. We have developed school-wide expectations for the main areas of our school (cafeteria, playground, etc.). Our students will learn and practice these expectations throughout the school year. Students who follow the expectations regularly will be invited to our scheduled PBIS events. In addition, students may earn Bulldog points to purchase various rewards. Students who receive discipline referrals or suspensions **will not be able to participate** in the upcoming PBIS event.

WEST RANDALL SCHOOL-WIDE EXPECTATIONS

LOCATION	SAFE	RESPECTFUL	RESPONSIBLE
ON THE BUS	<ul style="list-style-type: none"> Stay seated. Keep hands, feet, and objects to yourself and in the bus. 	<ul style="list-style-type: none"> Keep your space clean. Follow Bus Driver's directions. Use kind words and actions. 	<ul style="list-style-type: none"> Use quiet voices. Take care of your property and bus property. Keep food and drinks in backpacks.
IN THE CAFETERIA	<ul style="list-style-type: none"> Walk. Stay seated until dismissed. Keep hands, feet, and objects to yourself. Three students may get water at a time. 	<ul style="list-style-type: none"> Listen and follow directions of Staff. Be kind. Use quiet voices. 	<ul style="list-style-type: none"> Raise hand for help. Keep all trash on tray until done eating. Only eat your food. Clean up your area.
IN THE OFFICE	<ul style="list-style-type: none"> Walk. Keep hands, and feet to yourself. Wait patiently when being picked up. 	<ul style="list-style-type: none"> Listen and follow directions of Staff. Use good manners. 	<ul style="list-style-type: none"> Use quiet voices. Get a Pass or Permission slip. Clean up after yourself.
IN THE WALKWAYS	<ul style="list-style-type: none"> Walk. Keep hands, feet, and objects to yourself. When possible, walk on the yellow line. 	<ul style="list-style-type: none"> Face front when walking. Give personal space. Respect the property of others. 	<ul style="list-style-type: none"> Use quiet voices.
IN THE BATHROOM	<ul style="list-style-type: none"> Walk. Keep hands, feet, and objects to yourself. Keep feet on floor. Always use quiet voices. 	<ul style="list-style-type: none"> Respect the privacy of others. Keep bathroom clean. Let adult know if the Custodian is needed. Use quiet voices. 	<ul style="list-style-type: none"> Flush the toilet. Wash your hands, use paper towel, and place all waste in the trashcan. Return to class or playground immediately.
IN THE LIBRARY	<ul style="list-style-type: none"> Walk. Push in your chair. Use proper exits. 	<ul style="list-style-type: none"> Take turns on computers. First come, first served on computers. Use quiet voices. 	<ul style="list-style-type: none"> Use shelf-marker correctly. Take proper care of books. Return books on time to the library.
LINING UP	<ul style="list-style-type: none"> Walk. Keep hands and feet to yourself. Line up single file. 	<ul style="list-style-type: none"> Listen and follow directions of Staff. Stay together. Voices should be turned off. 	<ul style="list-style-type: none"> Line up on time and in order. Pay attention. Eyes should be facing forward.
FRONT OF SCHOOL	<ul style="list-style-type: none"> Walk. Use Crosswalk. Stay behind yellow lines. Keep hands, feet, and objects to yourself. 	<ul style="list-style-type: none"> Listen and follow directions of Staff. Be Kind. 	<ul style="list-style-type: none"> Wait quietly in line to enter/exit campus. Wait for bell to ring before you enter/exit campus. If able, stay with your parents as you wait.
ASSEMBLIES	<ul style="list-style-type: none"> Walk. Stay seated. Keep hands, feet, and objects to yourself. 	<ul style="list-style-type: none"> Listen and follow directions of Staff. Cheer for people appropriately. Give your full attention through the assembly. 	<ul style="list-style-type: none"> Enter and exit quietly in line. Wait to be dismissed. Raise hand to be called on.
ON THE PLAYGROUND	<ul style="list-style-type: none"> Walk, run only on the grass. Stay within boundaries, "yellow lines" Leave woodchips on the ground. 	<ul style="list-style-type: none"> Listen and follow directions of Staff. Share equipment appropriately. Patiently wait in line for your turn. 	<ul style="list-style-type: none"> Freeze at the bell and walk quickly to your line when the whistle blows. Put equipment away quickly and correctly. Follow school rules for all games. Use restroom at recess.

School Rules and Expectations

ACADEMICS

All students are expected to achieve throughout the school year. Our K-5 students should strive for 3s or higher in all academic areas, by the end of the school year. Sixth grade students should strive for Cs or higher by the end of each semester. It is important for parents to encourage their child(ren) to put forth sincere effort each day in school. Students are expected to play an important role in their academic progression.

ARRIVAL/DISMISSAL PROCEDURES

Students MAY NOT arrive at school before 7:00. If they are eating breakfast, students will be admitted to the campus at 7:15. Students who are not eating will be admitted to the campus at 7:35. First through sixth grade students will enter campus through the front door of the office. TK and kindergarten students will enter through the gate near cafeteria (west side of office). This gate will be closed promptly at 7:35.

Grades 1, 2, and 3 will be dismissed through the gates near the marquee or through the back door facing the bus lane. Our 4th, 5th and 6th grade students will dismiss from the front gate directly east of the office. All bus riders will dismiss through this same gate. Students who pick up younger siblings should choose a meeting place other than the front gate.

Kindergarten students will be dismissed from the gate near the cafeteria once the parent/guardian is identified. AM TK will be dismissed through the same gate that they enter in the morning. PM TK students will leave through the front door of the office.

ATTENDANCE POLICY

California State Law requires students to attend school regularly and promptly. Regular school attendance is a very important part of a successful school experience. We expect students to attend school each day. If a student is to be absent from school, parent/guardian should call the West Randall Attendance Office at (909)357-5780.

- ***Tardy Policy***

Students must be in their class line by 7:45. Students who do not arrive by this time will receive a "Tardy Slip".

- ***Early Check-Out Policy***

Please be aware of the early check-out policy at West Randall Elementary. During the last 30 minutes of class the teacher is finishing the lesson and preparing every student for dismissal. It is extremely disruptive to the students if the class is interrupted to release a student. It takes away from time the teacher devotes to all students in the classroom. If you need to check your student out of school early, please do so **no later than 30 minutes** prior to the end of the school day. All students must be checked out by parent/guardian, with an ID, listed in their Parent Contact files. For emergencies ONLY, students may be checked out to an adult, with an ID, listed in their Emergency Contact, but parent/guardian will be called first for confirmation. Thank you for your cooperation. It is greatly appreciated.

BICYCLE AND PEDESTRIAN SAFETY

Fourth through sixth grade students may ride their bicycles to school. They must have a signed permit slip on file in the office. Students must walk their bikes to and from the bike racks and lock their bikes to the racks. Disregard for bicycle safety rules may result in the suspension or denial of the privilege to ride a bicycle to school. Students must wear helmets while riding to and from school. Scooters, roller blades/skates, and wheelie shoes are not allowed on campus. The school is not responsible for lost or stolen bikes.

CELL PHONES

Students can carry cellular phones, but they may only be used off campus and before or after school. Students must always keep phones off during class. A misuse or a disturbance caused by such devices will result in confiscation and possible disciplinary action. The phone will be returned to a parent or guardian. The school is

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not responsible for locating, repairing, or replacing such device. Parents and students are responsible for the loss or misuse of cell phones.

CLASSROOM RULES

Teachers will establish rules related to general classroom behavior. These rules will be posted, and parents will receive a copy of the rules.

DISCIPLINE

- ***Consequences***

Students who have behavior issues could possibly receive an Office Support Form or Discipline Referral from the teacher or principal. Consequences for negative behavior could include, but are not limited to the following: warning, structured recess, review of expectations, time out in office, teacher class detention/suspension, parent contact/conference, community service, after school detention, or at-home suspension given by the principal. In addition to the above, students will be excluded from the scheduled PBIS event if they receive a Discipline Referral or Suspension.

- ***Rewards***

For following school-wide rules and expectations, students will earn rewards, such as, verbal praise, Bulldog points to purchase rewards, stickers/pencils/certificates, and/or participation in our PBIS event.

COVID 19 SAFETY

- ***Cough/Sneeze Etiquette*** – Remind your child to sneeze or cough into his/her elbow when necessary.
- ***Drinking Fountains*** – Fountains may only be used as filling stations. Students may bring a water bottle.
- ***Face Coverings*** – Face coverings are optional.
- ***Sanitizing*** – All classrooms and other school areas will be thoroughly sanitized each evening. All spaces will be monitored by the principal to ensure the necessary Personal Protective Equipment is available.
- ***Screening*** – Screen your child at-home prior to the start of school each day. If your child is sick with fever (100.4 degrees or higher) or exhibits other COVID 19 symptoms, do not send your child to school. Be sure to notify our school office. Parent will be notified to pick up any child with a temperature (100.4) and signs of illness.

DRESS CODE

The faculty, staff, students, and parents at West Randall Elementary School want our school to be a place where students are serious about their educational program. We believe that student dress influences the school's academic environment. We also believe that student behavior and the total school atmosphere are strongly influenced by the dress and appearance of students. Therefore, at West Randall Elementary School, students are expected to dress in a manner that embodies a high regard for learning, minimizes distractions, and promotes a safe and positive school climate. Student dress and appearance must not disrupt the educational process or endanger the health, safety and welfare of self and others. The following guidelines have been established with school administration having the final decision regarding all dress code issues.

- No gang attire is allowed.
- All clothing must be of appropriate size and worn properly. Pants must fit and be worn at the waist. Clothes must be clean, neat and have no tears or frayed edges.
- Shirts and tops are to provide coverage in front/back, and the midriff area must be covered. Spaghetti straps/halter-tops are not permitted. Tank top straps must be 2 inches wide and cover to the shoulder.
- Shorts are to be long enough to reach the mid-thigh area. Also, holes in jeans/pants must be below mid-thigh area.
- Underwear may not be exposed (boxers, undershirts, pajamas, etc.)
- Sunglasses are not to be worn at any time while on campus unless they are for medical purposes.

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- Hats may be worn properly, centered on student's head. NO writing/messages on hats. Hat cannot be worn indoors; they must be taken off when in the classroom.
- Hair must be clean and neatly groomed and not distracting to the learning environment. All other jewelry worn must not create a safety hazard and must not be distracting to the learning environment.
- Clothing, backpacks, notebooks, and all other school attire are not to include the use of derogatory, offensive, or profane language, symbols, and slogans.
- Clothing, backpacks, notebooks, and all other school attire are not to promote or endorse the use of alcohol, tobacco, illegal drugs, or encourage other illegal or violent activities.
- Sandals or high heels are not allowed in school. Shoes must have a closed toe and must have a strap across the back.
- Students found not in compliance with the Dress Code guidelines will be asked to make appropriate modifications to their attire. Any student who repeatedly fails to comply with the guidelines will be subject to progressive discipline action, which could include parent communication, time out in office, after school detention, etc.

EMERGENCIES/DISASTERS

The West Randall Disaster Plan outlines procedures if any of a variety of disasters or emergencies should take place while students are at school. A child will be released only to the adult or adults indicated on the student's emergency information form. Safety drills for earthquakes, fires, and lockdowns are held monthly to assure the safety of all children. In the event of an actual disaster, children will be kept in protective custody until they can be released to parents/guardians.

HEALTH SERVICES

Parents are to notify the health office about serious health concerns and regularly prescribed medication. In order for students to have prescribed medications at school, parents/guardians must submit a written authorization, in addition to a written statement from prescribing physician. Prescribed medication must be provided in the original container, and it must be clearly labeled with the student's name. Students are not permitted to carry medication to and from school.

Students are to notify the teacher/staff member immediately if an injury occurs. In case of serious injury/illness, parents are contacted for referral to their family physician. If students become ill, they may ask their teachers for a pass to see the Health Assistant.

Accidents

In case of an emergency, the paramedics are called. It is very important that we have **ALL** phone numbers where parents can be reached in case of an emergency. Therefore, we require Emergency Cards be filled out completely. We must also have the names and phone numbers of people we may contact if you cannot be reached. **IF ANY EMERGENCY CONTACT INFORMATION CHANGES DURING THE YEAR, PLEASE NOTIFY YOUR CHILD'S TEACHER OR THE SCHOOL OFFICE. THIS WILL HELP US ENSURE THE SAFETY OF YOUR CHILD.**

HOMEWORK

Homework gives students an opportunity to independently practice skills learned in class. Completing homework on a regular basis helps students to develop responsibility, study habits, and self-discipline. All students are required to complete and turn in homework as required by their teacher.

INSURANCE

Although West Randall will exercise care to prevent accidents, neither the school nor the district can assume responsibility for accidents or injuries to students. Parents are encouraged to carry personal insurance coverage.

INTERNET AND ELECTRONIC MAIL (Acceptable Use Policy)

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The Fontana Unified School District (FUSD) supports instruction using educational and administrative computers, school-licensed software, and other media, as well as networks and servers. The FUSD provides Internet access through an electronic network.

LAPTOPS

Students in Kinder – 6th grade are issued a laptop by our school's Library Specialist. Students are held responsible for taking care of the laptop and bringing the laptop to school daily. If there is an issue with your child's laptop, please notify the school office immediately.

LOST AND FOUND

Please mark outerwear with your child's first and last name to assist us in returning lost items to your child. All lost items will be put in the Lost and Found container located in the cafeteria. Items not claimed by the end of the year will be given to charity.

PARENT CONCERNS

Parents who have a school-related concern should first address their concern with the classroom teacher. The teacher is the best source of information, and most problems can be solved at that level. Should a concern continue, parents may make an appointment with the principal by calling the school office at (909) 357-5780.

PLAYGROUND RULES

- Keep hands, feet, and objects to yourself.
- Avoid games that involve contact/touching (tag, wrestling, football, etc.).
- Stay in supervised areas and away from fences and classrooms.
- Follow all directions given by adult supervisor.
- Report all problems to an adult supervisor.
- Food/snacks must be eaten on picnic benches.
- Freeze when the bell rings and wait for whistle to be dismissed to walk to class line.

Play Structure

- Students must line up for play structure if there is a crowd of students waiting. Ten students will be permitted at a time.

Blacktop

- ONLY walking is permitted on the blacktop.

Four Square

- The server drops the ball once into her/his square, and then hits it into a different square.
- Each player needs to hit the ball with any part of his/her hand into an opposing player's square.
- The ball must not be hit high in the air.
- If the ball lands on a line or goes outside of the lines before it bounces, the player who hit the ball is out.
- If the player who is supposed to hit the ball misses, the player is out.

Grass

- Students play on the grass area, closest to the blacktop.
- Avoid contact sports (tag, wrestling, football, baseball, etc.).

Basketball

- Students can only play single court basketball with no more than three on each team.
- Avoid rough play (grabbing, pushing, pulling, etc.).
- Three more players will come in after one team makes three baskets if there are more than six students who want to play basketball.

Handball

- Player A hits the ball, then player B must hit it; both players go back and forth taking turns hitting the ball.
- If the ball bounces more than once before hitting the wall or does not bounce at all before hitting the wall, that player is out.

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- If a player allows the ball to hit the ground more than once before he hits it to the wall, that player is out.
- If a player hits the ball outside the boundaries, that player is out.

Tetherball

- One person serves the ball.
- The opponent is given a choice of either side of the court.
- The server hits the ball around the tetherball pole with an open or closed hand.
- The opposing player tries to unwind the rope, by hitting the ball, and then tries to wind the rope around the pole in the opposite direction.
- The player who winds the rope completely around the pole is the winner.

Administration may modify or change any rule or expectation in this handbook to meet safety and academic standard.

PROGRESS REPORTS/REPORT CARDS

Parents in TK-5th Grade will receive student Progress Reports, at the end of Quarter 1 and Quarter 3 (sent by mail). A Report Card will be mailed home at the end of each semester. There are four reporting periods for students in TK-5th Grade.

For 6th Grade, parents will receive student Progress Report in the middle of each quarter and Report Card at the end of each quarter. There are eight reporting periods.

Parent Conferences are scheduled at the end of the 1st quarter of school. At this time, parents will receive a copy of the 1st quarter Progress Report or Report Card (6th Grade).

RETENTION

The Fontana Unified School District has set standards of achievement in Reading, Language Arts and Mathematics to be achieved by the end of school year for all students in kindergarten through sixth grade. If your child has not made significant progress by the end of the second semester of school, he/she may be at risk of being retained (Education Code 48070.5). You may be asked to attend meetings with the principal to review your child's progress and, in accordance with policy set by the Fontana Unified School District, to determine if your child is recommended for retention.

SCHOOL LIBRARY

West Randall's library is an integral part of our students' instructional program. Our library has a full-time Library Specialist who makes the library a friendly place for students to study, locate materials, conduct research, and read for pleasure. The library is open to the first twenty students before (7:15 – 7:35) and after school (2:20 – 2:40), starting the 2nd month of school. Books may be checked out for a week at a time. Parents are welcome to visit the library with their child during the times above to check out books.

STUDENT ACADEMIC SUPPORT

Each school year, West Randall provides in-school intervention support to all students, based on their needs. This support takes place during the school day in both English Language Arts (ELA) and Math. In addition to the above, West Randall provides additional support, after school, to those who may be at-risk in ELA or Math. If a child needs such support, parents will receive a notice inviting their child(ren) to our Bulldog Academy (After School Tutoring). In the Bulldog Academy, students will receive intensive support in a targeted academic area.

SIXTH GRADE AWARD ASSEMBLY (PROMOTION)

At the end of each school year, West Randall holds an awards assembly for all 6th grade students who will be promoted to the 7th grade. Students must earn passing grades in all subject areas, in order to attend. To keep

track of student's progress, parents are encouraged to sign up for Q Parent Connect to see if their child is completing all assignments. Parents will also be informed several times during the school year of student progress. In addition to Parent Conferences, parents will receive a total of eight Progress Reports and/or Report Cards outlining student progress.

BOM AWARD - Bulldog of the Month

On a monthly basis, teachers email names to Community Aide; Community Aide will make certificates and call parents to invite them to award ceremony. Only parents and students receiving award will be invited to the ceremony. Announcement of BOM 7:50 am, teachers send their BOM to cafeteria. A picture of the student will be taken for our Bulldog of the Month Wall, and it will also be posted on IG. Bulldogs of the Month will receive a certificate, a restaurant coupon, a pencil and a sticker.

STUDENT RIGHTS AND RESPONSIBILITIES

The mission of Fontana Unified School District is to graduate all students prepared to succeed in a changing world. This can only be accomplished through a partnership between Fontana Educators, Parents, and Students. We, the students of Fontana Unified School District, understand the active role we must play in order for this to be a successful partnership. As part of this intertwined relationship, there is an expectation regarding the quality of our experiences in FUSD.

All Students have the right:

- to be treated equally with proper respect by their peers, teachers, support staff, and administrators.
- to attend a safe campus that creates an effective learning environment.
- to healthy, fresh food for breakfast and lunch.
- to receive guidance regarding college and career expectations as well as what needs to be done to meet those requirements.
- to ask questions, get clarifications, and seek help regarding topics of instruction.
- to equal access to resources including interventions, tutorials, and credit recovery programs.
- to participate in activities/sports for which they qualify.
- to receive an unbiased education and have the full cooperation and support of teachers.
- to express themselves in a way that doesn't disrupt learning or school activities.
- to be excused from class at appropriate times to use the restroom.
- to have a second chance to be successful in a school environment.

All Students have the responsibility:

- to come to school every day, on time, and prepared to learn in every class.
- to respect everyone and the role they play as students, teachers, support staff, and administrators.
- for their own behavior and keeping the campus clean.
- to pay attention in class and ask questions when you don't understand something.
- to strive to maintain at least a 2.0 GPA.

TOYS

Students are not permitted to bring any type of toy (fidget spinners, Pokémon Cards, etc.) to school. All toys will be confiscated, and only Parent/Guardian will be able to pick up the toy.

VISITING CLASSROOMS

Parents are welcome to visit their child's classroom. Visits are limited to thirty minutes, unless approved by the FUSD Board. During instructional time, parents are not to disrupt class activities with the teacher. All parents are to enter the campus through the administration office, "sign-in" and obtain a visitor's pass. The teacher will be informed of the visiting parent, and the visit is not to exceed thirty-minutes in duration.

PARENT INVOLVEMENT

Associate Student Body (ASB)

West Randall has an ASB which meets throughout the year to organize fundraisers and other positive activities for students. Although the ASB is composed of staff members, our student leadership and parents may give input and volunteer to participate in yearly activities.

ENGLISH LANGUAGE LEARNER ADVISORY COUNCIL (ELAC)

English Language Advisory Council meets regularly to discuss and learn about ways students can increase their achievement in English Language Development. ELAC is composed of parents and staff.

SCHOOL SITE COUNCIL (SSC)

School Site Council meets once a month to review student achievement, school programs, and allocation of funds. The council also helps to develop the Single Plan for Student Achievement. SSC is composed of parents and staff members.

SCHOOL VOLUNTEERS

West Randall Elementary School needs parents to volunteer to help with teacher projects (preparing/stapling student booklets, etc.) and to participate in school committees, such as, ELAC and School Site Council. Parents may also volunteer for school activities throughout the school year. All volunteers will need to be checked through Megan's Law. If you are interested in volunteering your services, please complete the volunteer form in the office. We welcome you to share your talents and expertise with us.

SCHOOL PROGRAMS AND SPECIAL SERVICES

CAMPUS SECURITY CAMERAS

West Randall is equipped with security cameras outside of the classrooms to monitor various areas on campus. The cameras monitor the playground, hallways, and school office.

INDEPENDENT STUDY PROGRAM

Parents may request an Independent Study Plan if a child will be absent for a minimum of 3 days and a maximum of 14 days. Contact the school office to make arrangements at least two weeks before the absences are to begin, if possible. All of the work must be completed and turned into Independent Study Teacher on the scheduled return date to receive full attendance credit.

LOCAL CONTROL FUNDING FORMULA

California schools are funded under a new model known as Local Control Funding Formula or LCFF. Districts are required to develop a Local Control Accountability Plan (LCAP) to guide priorities in the in the budget development process.

REQUEST FOR ASSISTANCE FORM

Through our PBIS behavioral system, parents may request assistance for their child for behavioral, academic, and/or socio-emotional concerns. You may find the Request for Assistance Form on the West Randall website, or you may pick up a blank form from the office. Once you return the form, it will be given to the School Counselor. Someone will contact you with more information within five (5) days.

STUDENT SUCCESS TEAM (SST)

The Student Success Team provides support for students who are experiencing academic, social, or emotional difficulty. Any teacher may refer a student. Parents should request a SIT in collaboration with the classroom teacher. The Student Intervention Team may recommend modifications in the existing program, additional interventions and/or strategies, or referral for additional services.

CALIFORNIA STATE EDUCATION CODE SECTIONS EC 48900 - SUSPENSION

A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more of EC 48900 subdivisions (a) to (t), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. Please note that with the passage of AB 424 no one has the authority to grant permission to possess a firearm on school grounds.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 8, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (l) Knowingly received stolen school property or private property.

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(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, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose 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, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings: (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

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

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

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

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

(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, or image.

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

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

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

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the profile.

(iii) An Act of cyber sexual bullying.

(I) 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 above, 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.

(II) 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, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school-sponsored activity.

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

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

(v) A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.

(w) 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.

Particular Circumstances – Section 48915 (c5), as added, provides that a pupil shall be recommended for expulsion for possession of an explosive. Subdivision (h) as added, defines the term explosive as used in Section 48915. (*Amended by SB 166, Ch. 116, Statutes of 2001*).

Sexual Harassment EC 48900.2

In addition to the reasons specified in Section 48900, 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. For the purposes of this chapter, the conduct described in Section 212.5 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.

Hate Violence EC 48900.3 In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

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

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EC 48900.5 Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, 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 or property or threatens to disrupt the instructional process.

EC 48900.7 (a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. (b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

EC 48911 A reasonable effort must be made by school officials to notify parents in person or by telephone at the time of suspension. Notification of suspension in writing is mandatory.

The student and parent is entitled to an informal meeting with the school principal. The principal's decision is final.

EC 48915 (a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

(A) Causing serious physical injury to another person, except in self-defense.

(B) Possession of any knife or other dangerous object of no reasonable use to the pupil.

(C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following: i. The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.

ii. The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.

(D) Robbery or extortion.

(E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) Upon recommendation by the principal, superintendent of schools or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

(1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

(d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

- (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
- (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
- (3) Is not housed at the school site attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

With the passage of SB 419, Education Code 48901.1 was added which eliminated the suspension of students in grades K-8 for willfully defying the valid authority of school personnel-48900(k).

Board Policy Manual
Fontana Unified School District

Policy 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 02/05/2003 | Last Revised Date: 12/14/2022 | Last Reviewed Date: 12/14/2022

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)

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5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Childcare and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 3315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200-220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license exempt programs (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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

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

When an allegation that is not subject to the 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, and the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 – Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
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 BP 3555 – Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 – Nutrition Program Compliance. (5 CCR 15582)
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 the procedures in AR 1312.4 - Williams Complaint Procedures. (Education Code 8235.5, 35186)

Williams Complaint Classroom Notice ***Notice to Parents, Guardians, Pupils, and Teachers***

Williams Complaint Policy & Procedure EC 35186

This notice is provided to inform you of the following:

1. Every school must provide sufficient textbooks and instructional materials. Every student, including English Learners, must have textbooks or instructional materials, or both to use in class and to take home or use after class.
2. School facilities must be clean, safe, and maintained in good repair. School restrooms must be cleaned and maintained regularly, fully functional and stocked at all times with toilet paper, soap and paper towels or functional hand dryers in accordance with Education Code 35292.5.
3. There should be no teacher vacancies or misassignment. Each class should be assigned a teacher and not a series of substitutes or temporary teachers. The teacher should have the proper credential and subject matter training to teach the class, including training to teach English Learners, if present.
4. Teacher vacancy means a position which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, at the beginning of a semester for a one semester course. Misassignment means the placement of a certificated employee in a position for which the employee is not legally authorized. To file a complaint regarding the above matters, complaint forms can be obtained at the Principal's Office or downloaded from the district website at www.fusd.net.

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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 the procedures in AR 1312.4 - Williams Complaint Procedures. (Education Code 8235.5, 35186)

Uniform Complaint Policy and Procedures 5CCR 4622, EC 234.1, 32289 and 49013

Goal

It is the goal of the Fontana Unified School District to ensure compliance with applicable state and federal regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to Uniform Complaint Procedures. The district has adopted policies and procedures for the investigation and resolution of complaints alleging failure to comply with applicable state and federal laws. The District is primarily responsible for compliance with federal and state laws and regulations.

Responsibility for Uniform Complaint Procedures

The Senior Executive Director of Student Services and the Director of Human Resources will monitor compliance with provisions outlined in the District's Uniform Complaint Procedure Process pertaining to students. The Executive Director of Teaching and Learning will monitor compliance with provisions outlined in the District's Uniform Complaint Procedure Process pertaining to the Williams Case. Complaints and allegations regarding noncompliance with applicable state and federal guidelines should be submitted in writing to the Superintendent's Office.

Contact Information

Compliance officers may be reached at: (909) 357-5000 (phone extensions are listed below) or by visiting the district office at 9680 Citrus Avenue, Fontana CA (offices are listed below)

Compliance Officer	Title	Extension	Building	Email
Craig Baker	Associate Superintendent, Student Services	29194	B	Craig.Baker@fusd.net
Michael McGirr	Sr. Director, Assessment & Accountability	29142	12	Michael.McGirr@fusd.net
Carol Tomeo, Ed.D.	Executive Director, Human Resources	29045	4	Carol.Tomeo@fusd.net

Scope of Complaint Procedures

This procedure applies to the following programs administered by the State Department of Education:

Accommodations for Pregnant and Parenting Pupils (EC Section 46015)

Adult Education (EC sections 8500–8538, 52334.7, 52500–52616.4)

After School Education and Safety (EC sections 8482–8484.65)

Agricultural Career Technical Education (EC sections 52460–52462)

Career Technical and Technical Education, Career Technical, Technical Training (state) (EC sections 52300–52462)

Career Technical Education (federal) (EC Sections 51226–51226.1) 54

Child Care and Development (EC sections 8200–8493)

Compensatory Education (EC Section 54400)

Course Periods without Educational Content c (EC sections 51228.1–51228.3)

Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district and Children of Military Families (EC sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

Every Student Succeeds Act (20 United States Code [20 U.S.C.] Section 6301 et seq.; EC Section 52059)

Local Control and Accountability Plans (LCAP) d

(EC Section 52075, Government Code [GC] Section 17581.6(f))

Migrant Education (EC sections 54440–54445)

Physical Education Instructional Minutes e (EC sections 51210, 51223)

Pupil Fees (EC sections 49010–49011)

Reasonable Accommodations to a Lactating Pupil (EC Section 222)

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Regional Occupational Centers and Programs (*EC* sections 52300–52334.7)

School Plans for Student Achievement (*EC* Section 64001)

School Safety Plans (*EC* sections 32280–32289)

School Site Councils (*EC* Section 65000)

State Preschool (*EC* sections 8235–8239.1)

State Preschool Health and Safety Issues In LEAs Exempt From Licensing (*EC* sections 8235.5(a), 33315, *GC* Section 17581.6 (f)), California Health and Safety Code [HSC] Section 1596.7925)

This procedure also applies to complaints which allege unlawful discrimination, harassment, intimidation, bullying, and charging pupil fees for participation in an educational activity.

Who May File a Complaint?

A complaint may be filed by any individual, including a duly authorized representative, interested third party, public agency, and/or organization. Individuals who may file complaints include District students, employees, and parents or guardians. A complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint. Investigations are conducted in a manner that protects against retaliation and confidentiality of parties and the facts to the greatest extent possible.

Filing a Complaint

A written complaint alleging unlawful discrimination shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, or by one who believes an individual or any specific class of individuals has been subjected to prohibited discrimination and evidence relevant to the complaint can be presented during the process. A complaint alleging unlawful discrimination shall be filed with the office of the Superintendent, 9680 Citrus Avenue, P.O. Box 5090, Fontana, CA 92335-5090, no later than six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. A complainant may file a written request for an extension of time for filing a complaint of unlawful discrimination with the State Superintendent of Public Instruction. The District has 60 days from the date the complaint is received to investigate and render a decision.

Appeals

Any complainant(s) may appeal a District decision to the State Superintendent of Public Instruction by filing a written appeal with the Superintendent within 15 days of receiving the District decision. The complainant shall specify the reason(s) for appealing the District decision. The appeal shall include:

- A copy of the complaint; and
- A copy of the District decision

Civil Law Remedies

Please be advised that you are not required to exhaust the District Uniform Complaint Procedure prior to pursuing civil law remedies in Superior Court. Statutory authority for such actions includes, but is not limited to, the following:

1. California Education Code Section 200, et. seq. prohibition of sex discrimination.
2. California Government Code Section 11135 prohibition of discrimination in programs funded by the State.
3. Title VI Civil Rights Act of 1964 (42 U.S.C. section 2000d) prohibition of race, color, or national origin discrimination.
4. Title IX Education Amendments of 1972 (20 U.S.C. sections 1681, et. seq.) prohibition of sex discrimination.
5. Sections 504, Rehabilitation Act of 1973 (29 U.S.C. section 794) prohibition of disabled persons.
6. American with Disabilities Act (42 U.S.C. sections 12101, et. seq.) prohibitions of discrimination against disabled persons.

Direct State Intervention

A complaint may be filed directly with the California Department of Education, without first exhausting the District Uniform Complaint Procedure, if one or more of certain conditions exist (Title 5 California Code of Regulations Section 4650). For more information regarding the right to direct state intervention, please contact Howie DeLane, Categorical Complaints Management Unit, California Department of Education, P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-3630.

Questions

For more information regarding Uniform Complaint Procedures or assistance with the process, please call Fontana Unified School District, Associate Superintendent, Human Resources, 9680 Citrus Avenue, P.O. Box 5090, Fontana, CA 92335-5090.

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Copies of the District's complaint procedure are available free of charge by calling the above number, and the procedure is available on the internet at www.fusd.net [quick links].

California Department of Education Contacts for Programs and Services Covered Under The Uniform Complaint Procedures

Program	Contact	Telephone
Adult Education	Adult Education Office	(916) 322-2175
Career and Technical Division	Career Technical Education Regional Occupational Centers Programs	(916) 322-5050
Child Development , including: Alternative Payment Protective Services CalWORKS Stages 2 & 3 Resource and Referral Exceptional Needs School-Age (Latchkey) General Severely Handicapped Family Child Care Homes State Preschool Migrant	Child Development Office	(916) 322-6233
Consolidated Categorical Aide , including: Economic Impact Aide – State Compensatory Education (EIA/SCE) Economic Impact Aide–State Program for Students of Limited Proficiency (EIA/LEP) No Child Left Behind (Titles I-VI) (NCLB) School Improvement Tenth-Grade Counseling Tobacco-Use Prevention Education (TUPE) Peer Assistance and Review (PAR) School Safety and Violence Prevention Act	Categorical Programs Complaints Management Unit	(916) 319-0929
Migrant and Indian Education	Migrant, Indian, and International Office	(916) 319-0851
Nutrition Services	Nutrition Services Division	(916) 445-0850
Special Education	Procedure Safeguards Referral Services Unit	(800) 926-0648
Facilities	School Facility Planning Division	(916) 322-2470
Office of Equal Opportunity , including: Discrimination Harassment Civil Rights Guarantees	Office of Equal Opportunity	(916) 445-9174

For additional general information on uniform complaint procedures, contact the Categorical Programs Complaints Management Unit, California Department of Education, School and District Accountability Division, 130 N Street, Sacramento, CA 95814-5901; telephone (916) 319-0929, or visit their website at <http://www.cde.ca.gov/re/cp.uc>.

Administrative Regulation 5145.71: Title IX Sexual Harassment Complaint Procedures

Last Revised Date: 08/16/2022

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

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

All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with BP/AR 1312.3 – Uniform Complaint Procedures. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

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

Reporting Allegations/Filing a Formal Complaint

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

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

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

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

Supportive Measures

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

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

Emergency Removal from School

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

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

Dismissal of Complaint

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

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

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

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party

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to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

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

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Written Notice

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

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.
3. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
4. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
5. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
6. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

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

Investigation Procedures

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

1. Provide an equal opportunity for all parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

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

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

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do no conflict with the Title IX requirements.

Written Decision

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

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

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

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

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

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In making this determination, the decision-maker shall use the “preponderance of the evidence” standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district’s code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district’s educational program or activity will be provided by the district to the complainant
6. The district’s procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district’s decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

The district’s decision may be appealed to the California Department of Education within 30 days of the written decision in accordance with BP/AR 1312.3.

Either party has the right to file a complaint with the U.S. Department of Education’s Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

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The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section “Supportive Measures,” but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the Section “Supportive Measures,” until the complaint procedure has been completed and a determination responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

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

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

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district’s basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances

3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

NOTICE OF PROCEDURAL RIGHTS AND SAFEGUARDS FOR PARENT AND STUDENT RIGHTS UNDER SECTION 504, THE REHABILITATION ACT OF 1973

The Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to nondisabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having, or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, selfcare, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Dual Eligibility: Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Act (IDEA). Students who are eligible under the IDEA have many specific rights that are not available to students who are eligible solely under Section 504. It is the purpose of this Notice form to set out the rights assured by Section 504 to those disabled students who do not qualify under the IDEA.

The enabling regulations for Section 504 as set out in 34 CFR Part 104 provides parents and/or students with the following rights:

1. You have a right to be informed by the school district of your rights under Section 504. (The purpose of this Notice form is to advise you of those rights) 34 CFR 104.32.
2. Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of no disabled students are met. 34 CFR 104.33
3. Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33.
4. Your child has a right to placement in the least restrictive environment. 34 CFR 104.34.
5. Your child has a right to facilities, services, and activities that are comparable to those provided for nondisabled students. 34 CFR 104.34.
6. Your child has a right to an evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. 34 CFR 104.35.
7. Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc., The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, anecdotal reports, and MAPS/CAASPP scores. 34 CFR 104.35.
- Section 504 21/22
8. Placement decisions must be made by a group of persons (i.e., the Section 504 Committee), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35.
9. If eligible under Section 504, your child has a right to periodic reevaluations, generally every three years. 34 CFR 104.35.
10. You have the right to notice prior to any action by the district regarding the identification, evaluation, or placement of your child. 34 CFR 104.36.
11. You have the right to examine relevant records. 34 CFR 104.36.
12. You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36.
13. If you wish to challenge the actions of the district's Section 504 Committee regarding your child's identification, evaluation, or educational placement, you should file a written Notice of Appeal with the

district's Section 504 Coordinator (Coordinator of Alternative Education, 9680 Citrus Avenue, Building B, Fontana, CA (909) 357-5000 Ext. 29077) within ten (10) calendar days from the time you received written notice of the Section 504 Committee's action(s). A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing.

14. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction. 34 CFR 104.36.

15. On Section 504 matters other than your child's identification, evaluation, and placement, you have a right to file a complaint with the district's Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint to reach a prompt and equitable resolution.

16. You also have a right to file a complaint with the Office of Civil Rights. The address of the Regional Office which covers California is:

United States Department of Education

Office for Civil Rights, Region IX Old Federal Building

50 United Nations Plaza, Room 239 San Francisco, California 94102

Board Policy Manual Fontana Unified School District

Policy 5145.7: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 05/19/1993 | **Last Revised Date:** 10/21/2020 | **Last Reviewed Date:** 10/21/2020

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment. The district strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.

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

Instruction/Information

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

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

sexual harassment should be made

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

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

Disciplinary Actions

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

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

Record-Keeping

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



FUSD

**FONTANA UNIFIED
SCHOOL DISTRICT**

9680 Citrus Avenue • P. O. Box 5090 • Fontana • California 92335-5090 • (909) 357-5000 • www.fusd.net

Nondiscrimination Statement

The Fontana Unified School District prohibits discrimination, intimidation, harassment (including sexual harassment), or bullying based on a person's actual or perceived ancestry, color, disability, race, ethnicity, religion, gender, gender expression, gender identity, immigration status, national origin, sex, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

For questions or complaints, contact

Equity Compliance Officer: Craig Baker, Associate Superintendent, Student Services at 9680 Citrus Avenue, Fontana CA 92335 (909) 357-5000 extension 29194 TitleIX@fusd.net;

Title IX Coordinator: Carol Tomeo, Executive Director, Certificated Human Resources, at 9680 Citrus Avenue, Fontana CA 92335 (909) 357-5000 extension 29045 TitleIX@fusd.net;

504 Coordinator: Mark Shalhoub, Director, Online Learning and Alternative Programs, at 9680 Citrus Avenue, Fontana, CA 92335 (909) 357-5000, extension 29086, 504Coordinator@fusd.net.



**FONTANA UNIFIED
SCHOOL DISTRICT**

Every Student Successful | Engaging Schools | Empowered Communities

UNIFORM COMPLAINT PROCEDURES (UCP) ANNUAL NOTICE 2025-2026

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The district requires that school personnel take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

The UCP shall be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Accommodations for Pregnant and Parenting Students
- Adult Education Programs
- After School Education and Safety Programs
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200-220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
- Educational and graduation requirements for students in foster care, homeless students, students from military families and students formerly in a juvenile court school
- Every Student Succeeds Act (ESEA)
- Local Control and Accountability (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Student Fees
- Reasonable Accommodations to a Lactating Student
- Regional Occupational Centers and Programs
- School Plans for Student Achievement (SPSA)
- School Safety Plans
- School Site Councils
- State Preschool Programs
- State Preschool Health and Safety Issues in License Exempt Programs
- 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
- Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

Filing a UCP Complaint

A UCP complaint shall be filed no later than one year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by the district.

A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

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

Responsibilities of FUSD

Fontana Unified School District will post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, and pupils formerly in Juvenile Court now enrolled in the school district.

We advise complainants of the opportunity to appeal an Investigation Report regarding programs within the scope of the UCP to the California Department of Education (CDE).

We advise complainants of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state and federal discrimination, harassment, intimidation, or bullying laws, if applicable.

UCP Complaints Regarding State Preschool Health and Safety Issues Pursuant to Section 1596.7925 of the California Health and Safety Code (HSC)

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California *Health and Safety Code (HSC)* a notice shall be posted in each California state preschool program classroom operated in any school in FUSD.

The notice is in addition to this UCP annual notice and addresses parents, guardians, students, and teachers of (1) health and safety requirements under Title 5 of the California *Code of Regulations (5 CCR)* that apply to California state preschool programs pursuant to Section 1596.7925 of the *HSC*, and (2) the location at which to obtain a form to file a complaint.

Contact Information

Complaints within the scope of the Uniform Complaint Procedures are to be filed with the person responsible for processing complaints:

Equity Office
Associate Superintendent, Student Services
9680 Citrus Avenue
Fontana, CA 92335
(909) 357-5000, ext. 29194
TITLEIX@fUSD.net

Title IX Officer
Executive Director, Certificated Human Resources
9680 Citrus Avenue
Fontana, CA 92335
(909) 357-5000, ext. 29194
TITLEIX@fUSD.net

The above contacts are knowledgeable about the laws and programs they are assigned to investigate in Fontana Unified School District.

A copy of the District's UCP policies and procedures is available free of charge at the District Office or on the District website: www.fUSD.net.