

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

"EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH"



ANNUAL NOTIFICATION

The Chula Vista Elementary School District is required to annually notify pupils, parents, and guardians of their rights and responsibilities, pursuant to California Education Code (EC) section 48980.

2026-27 School Year

Chula Vista Elementary School District
84 East J Street, Chula Vista, CA 91910
619-425-9600 ♦ www.cvesd.org

BOARD OF EDUCATION

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EDUARDO REYES, ED.D.

The Chula Vista Elementary School District is committed to providing equal educational, contracting, and employment opportunity to all in strict compliance with all applicable State and Federal laws and regulations. The District's programs, activities, and practices shall be free from discrimination, harassment, intimidation, and bullying based on race, color, ancestry, national origin, ethnic group identification, immigration status, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics. (CVESD Board Policy 0410) The District offices that monitor compliance are the Human Resources Services and Support Office and the Student Services Office, 84 East J Street, Chula Vista, CA 91910, Angela.rosendale@cvesd.org, phone (619) 425-9600, Ext. 181341 and Sharon.Casey@cvesd.org, phone (619) 425-9600, Ext. 181701. Any individual who believes they have been a victim of unlawful discrimination in employment, contracting, or in an educational program may file a formal complaint with the District's Human Resources Services and Support Office or the Student Services Office and receive assistance in filing a complaint, if needed.

CVESD 2026-27 Annual Notification

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School Calendar & Minimum Day Schedule



Chula Vista Elementary School District

2026-2027 School Year-Round Calendar

JANUARY 2027							4 Minimum Days		Days Worked per month						
S	M	T	W	T	F	S	1/1	Legal Holiday – New Year's Day	182-Days Classified	186-Days CNS II & III	185- Days Cert. Staff	200- Days School Staff			
					1	2	1/1 – 1/11	Winter Break (Continued)							
3	4	5	6	7	8	9	1/7	Principals Report							
10	11	12	13	14	15	16	1/11	200-day Employees & APs Report							
17	18	19	20	21	22	23	1/11	Teachers Report to Work							
24	25	26	27	28	29	30	1/12	School Resumes – Students Report – Minimum Day	13	14	14	14			
31							1/18	Legal Holiday – Dr. Martin Luther King Jr. Day							
							End of seventh school month, 13 days taught + 1 teacher workdays								
FEBRUARY 2027							3 Minimum Days		Days Worked per month						
S	M	T	W	T	F	S			182 Days Classified	186 Days CNS II & III	185 Days Cert. Staff	200 Days School Staff			
		1	2	3	4	5	6								
7	8	9	10	11	12	13	2/12	Legal Holiday – Lincoln Holiday (observed)							
14	15	16	17	18	19	20	2/15	Legal Holiday – Washington Day							
21	22	23	24	25	26	27									
28							End of eighth school month, 18 days taught		18	18	18	18			
MARCH 2027							8 Minimum Days		Days Worked per month						
S	M	T	W	T	F	S			182 Days Classified	186 Days CNS II & III	185 Days Cert. Staff	200 Days School Staff			
		1	2	3	4	5	6	3/11–3/18					Parent/Teacher Conferences - Minimum Days		
7	8	9	10	11	12	13	3/22–4/2	Spring Break							
14	15	16	17	18	19	20	3/26	Declared Holiday							
21	22	23	24	25	26	27	3/31	Legal Holiday – Cesar Chavez Day							
28	29	30	31				End of ninth school month, 15 days taught		15	15	15	15			
APRIL 2027							5 Minimum Days		Days Worked per month						
S	M	T	W	T	F	S			182 Days Classified	186 Days CNS II & III	185 Days Cert. Staff	200 Days School Staff			
				1	2	3	4/1 – 4/2	Spring Break (Continued)							
4	5	6	7	8	9	10	4/1 – 4/2	Principals and APs workday							
11	12	13	14	15	16	17	4/5	School Resumes – Students Report – Minimum Day							
18	19	20	21	22	23	24									
25	26	27	28	29	30		End of tenth school month, 20 days taught		20	20	20	20			
MAY 2027							4 Minimum Days		Days Worked per month						
S	M	T	W	T	F	S			182 Days Classified	186 Days CNS II & III	185 Days Cert. Staff	200 Days School Staff			
						1									
2	3	4	5	6	7	8									
9	10	11	12	13	14	15									
16	17	18	19	20	21	22	5/31	Legal Holiday – Memorial Day							
23	24	25	26	27	28	29	End of eleventh school month, 20 days taught		20	20	20	20			
30	31														
JUNE 2027									Days Worked per month						
S	M	T	W	T	F	S	6/4	End of School Year for Students-180 Days Taught/1 Minimum Day	182 Days Classified	186 Days CNS II & III	185 Days Cert. Staff	200 Days School Staff			
							6/4	Last day for 185-Day Certificated Staff-Teacher Prep Day							
							6/4	Last day for 186-day CNS II & III							
		1	2	3	4	5	6/16	Last day for 200-day Employees							
6	7	8	9	10	11	12	6/17	Last day for Principals and APs							
13	14	15	16	17	18	19	6/18	Legal Holiday – Juneteenth	4	4	4	12			
20	21	22	23	24	25	26	6/30	Fiscal Year Ends							
27	28	29	30				End of twelfth school month, 4 days taught								
							Total Number of Days		182	186	185	200			

LEGEND: SCHOOL DAYS (180)

MINIMUM DAYS (51)

TEACHER PREP DAYS (5)

BREAKS

LEGAL HOLIDAYS (17)

Approved: 12/13/23

Introduction

In compliance with the requirements of California Education Code (EC) section 48980, this Annual Notification (Notice) contains important information for students and parents/guardians regarding their legal rights and responsibilities pursuant to state and federal laws, and policies and procedures of the Chula Vista Elementary School District (District or CVESD). In addition to this Notice, parents may access the District website at <https://www.cvesd.org/> for additional information regarding the District’s programs.

The District requests that you take the time to review the information provided in this Notice and encourages you to maintain a copy of the Notice to reference throughout the school year. All parents and legal guardians are required to sign and submit to your student’s school the Mandatory Parent Notification receipt as required by EC 48982. If you have any questions, or if you would like to review specific documents mentioned in the Notice, please contact an administrator at your child’s school for assistance. Again, you may also visit the District’s website for updates and other valuable information at <https://www.cvesd.org/>.

Key to Acronyms

AR	Chula Vista Elementary School District Administrative Regulation
BP	Chula Vista Elementary School District Board Policy
BPC	California Business and Professions Code
CCR	California Code of Regulations
CDE	California Department of Education
CFR	Code of Federal Regulations
CIF	California Interscholastic Federation
CVESD	Chula Vista Elementary School District
EC	California Education Code
GC	California Government Code
HSC	California Health and Safety Code
LC	California Labor Code
LEA	Local Educational Agency
OCR	Office of Civil Rights
PC	California Penal Code
USC	United States Code
VC	California Vehicle Code
WIC	California Welfare and Institutions Code

EQUITY & ACCESS

Statement of Non-Discrimination

(Title VI of the Civil Rights Act of 1964; Title IX of the U.S. Education Amendments of 1972; Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973; EC § 200 et seq.; 5 C.C.R. § 4900 et seq.; BP 0410)

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

The District's nondiscrimination policy requires that all notices, reports, statements, or records sent to parents/guardians from the District and/or its schools be provided in English and, if 15 percent or more of a school's students speak a single primary language other than English, be provided in the primary language as well. CVESD will take the required steps to -ensure that a lack of English proficiency will not be a barrier to admission and participation in District programs.

Complaints alleging unlawful discrimination in District programs and activities are investigated through the District's Uniform Complaint Procedures (UCP), which are set forth in District BP/AR 1312.3. The District's UCP Annual Notice and BP/AR 1312.3 are included in this Notice as Appendix A. The following personnel have been designated to address questions and complaints regarding the District's non-discrimination policies:

Sharon Casey, Assistant Superintendent of Student Services
Title IX Compliance Officer/504 Coordinator
Sharon.Casey@cvesd.org
(619) 425-9600, Ext. 181701

Angela Rosendale, Acting Assistant Superintendent of Human Resources
Equity Compliance Officer/Title IX Coordinator
Angela.Rosendale@cvesd.org
(619) 425-9600, Ext. 181341

Title IX: Sex Equity in Education Act

(20 USC §§ 1681-1688; EC §§ 221.5, 221.6, 221.61, 221.8, 231.5)

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

Under Title IX, students in the District have the right to:

1. Fair and equitable treatment that is free from discrimination based on sex.
2. Not be required to take and/or be denied enrollment in a course based on the student's gender, gender identity, gender expression, or sexual orientation.
3. Not be subjected to separate or different rules of behavior, sanctions, or other treatment, such as discriminatory discipline policies and practices, based on sex.
4. Be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
5. Inquire of the school's athletic director as to the athletic opportunities offered by the school.
6. Apply for athletic scholarships.
7. Receive equitable treatment and benefits in the provision of all of the following: equipment and supplies; scheduling of games and practices; transportation and daily allowances; access to tutoring; coaching; locker

- rooms; practice and competitive facilities; medical and training facilities and services; and publicity.
8. Access to the District's compliance officer to answer questions regarding gender equity laws.
 9. Contact the CDE and the California Interscholastic Federation (CIF) to get information on gender equity laws.
 10. File a confidential discrimination complaint with the United States Office of Civil Rights or CDE if discrimination, or unequal treatment, on the basis of sex has occurred.
 11. Pursue civil remedies as a result of discrimination.
 12. Be protected against retaliation for filing a discrimination complaint.

The following personnel has been designated to address questions and complaints regarding the District's non-discrimination policies specific to Title IX:

Sharon Casey, Assistant Superintendent of Student Services
Title IX Compliance Officer/504 Coordinator
Sharon.Casey@cvesd.org
(619) 425-9600, Ext. 181701

Any complaint alleging noncompliance with Title IX will be investigated and resolved through the District's UCP. For additional information regarding Title IX, please visit the District's Title IX webpage at: <https://www.cvesd.org/district/title-ix-compliance>

Sex Equity in Community Youth Athletics Programs (GC § 53080)

The District and other LEAs are prohibited from discriminating against a person on the basis of sex or gender in the operation, conduct, or administration of community youth athletics programs, or in the allocation of school and recreation facilities and resources that support or enable such programs.

Safe Place to Learn Act (EC §§ 234, 234.1; BP/AR 5145.3)

The District is committed to providing a safe learning environment that allows all students equal access and opportunities in the District's academic, extracurricular, and other educational support programs, services, and activities. The District prohibits unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital status, parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or association with a person or group with one or more of these actual or perceived characteristics. The District's nondiscrimination/harassment policy related to students is set forth in District BP/AR 5145.3 and applies to all acts related to school activity or to school attendance occurring within a District school, and to acts which occur off campus or outside of school-related or school-sponsored activities, but which may have an impact or create a hostile environment at school.

Complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student will be investigated and resolved through the District's UCP. Any student who feels that they have been subjected to unlawful discrimination, or who observes any such incident, is strongly encouraged to immediately contact the District's UCP compliance officer, principal, or any other staff member. The District prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying,

shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students. Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so.

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

Sexual Harassment Policy

(EC § 231.5; 5 CCR § 4917; BP/AR 5145.7)

The District will not tolerate sexual harassment by anyone participating in any District program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any District participant. The District takes all complaints of sexual harassment seriously, investigates and addresses identified sexual harassment, and, if the investigation results in the determination that sexual harassment has occurred, takes reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. A pupil in grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined below.

California Education Code section 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

The District has adopted a written policy on sexual harassment, which is outlined in District BP/AR 5145.7 and attached as Appendix B. Complaints alleging sexual harassment will be investigated and resolved through the District's UCP (see Appendix A).

Protections Relating to Immigration and Citizenship Status

(EC § 234.7; BP/AR 5145.13)

All children have a right to a free public education, regardless of immigration status or religious beliefs. Therefore, CVESD has fully adopted model policies published by the California Attorney General's Office entitled "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" (<https://oag.ca.gov/system/files/media/school-guidance-model-k12.pdf>). These policies include, but are not limited to: (1) prohibiting discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status; (2) receiving and investigating complaints based on immigration status in accordance with its UCP; (3) refraining from collecting national origin information during the school enrollment process; (4) accepting all forms of evidence listed in California Education Code section 48002 for the purpose of verifying student age; and (5) not including citizenship status, immigration status, place of birth, or any other information indicative of national origin as "directory information."

Information about citizenship/immigration status or a Social Security number is never needed for school enrollment. Parents may provide a school with emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for a minor student in the event the parent is detained or deported. Parents may also complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for a minor student. Parents may, and are encouraged to, update their emergency contact information, including secondary and additional contact information regularly by contacting the student's school site. The District will not release information to third parties for immigration enforcement purposes, except as required by law or court order.

Effective January 1, 2026, school districts and their personnel are prohibited from allowing an officer or an employee of an agency conducting immigration enforcement to enter a nonpublic area of a school site for any purpose, unless they are presented with a valid judicial warrant, judicial subpoena, or court order.

Know Your Educational Rights

Your child has the right to a free public education

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

Information required for school enrollment

- Schools must accept a variety of documents from the student's parent(s)/guardian(s) to demonstrate proof of child's age or residency, and schools are not required to keep a copy of the document used as proof of a child's age.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

Confidentiality of personal information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If so, the school district must provide parents with written notice of the directory information policy and provide the option to refuse release of your child's information.

Family safety plans if you are detained or deported

- You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

Right to file a complaint

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

Checklist for Immigrant Students and Families Attending Public Schools

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

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
 - When completing the “Free and Reduced-Price Meals” form, only provide the last four digits of the SSN of the adult household member who signs the application.
 - If the family meets the income eligibility requirements and no adult household member has an SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
 - If any household member participates in CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of their SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student’s residency or age, you do not have to use documents that could reveal information related to immigration status.

Take steps to protect student information:

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

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

- Develop and keep in a safe place a “Family Safety Plan” that includes the following information:
 - Name of a trusted adult to care for your child if no parent or guardian can.
 - Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.).
 - Visit the following link for a Family Safety Plan: <https://www.ilrc.org/resources/step-step-family-preparedness-plan>
 - Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent is available.
 - Discuss with family members whether to complete a “caregiver authorization affidavit” to authorize a relative to enroll a minor student and consent to school-related medical care on behalf of the minor. Note that under a new law effective January 1, 2026, a relative is an adult related to the child by blood, adoption, or affinity within the fifth degree of kinship, including all stepparents, stepsiblings, and all relatives whose status is preceded by the words “great,” “great-great,” or “grand,” or the spouses of any of these persons.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact: Bureau of Children’s Justice, California Attorney General’s Office, P.O. Box 944255, Sacramento, CA 94244-2550, (800) 952-5225, Email: BCJ@doj.ca.gov, Website: <https://oag.ca.gov/bcj/complaint>.

In addition, please visit the California Attorney General’s website which provides resources for immigrant students and family members online at <https://oag.ca.gov/immigrant/resources>.

Non-Discrimination in Child Nutrition Programs (BP 3555)

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

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

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

1. **Mail:**

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

2. **Fax:**

(833) 256-1665 or (202) 690-7442; or

3. **Email:**

Program.Intake@usda.gov

This institution is an equal opportunity provider.

Rights and Options Available to Pregnant and Parenting Pupils

(EC §§ 221.51, 222, 222.5, 46015; BP 5146)

The District may not exclude or deny any pupil from any educational program or activity on the basis of the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, and shall treat these conditions in the same manner and under the same policies as any other temporary disabling condition. Pregnant and parenting pupils are entitled to at least eight weeks of parental leave, which can be taken before birth of the pupil's infant if there is a medical necessity, or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The pupil is neither required to take time off nor notify their school that they are doing so; this is a guaranteed minimum right that can be expanded if deemed medically necessary. Parental leave will be considered an excused absence, and the pregnant or parenting pupil is not required to complete any academic work during this period. A pregnant or parenting pupil is defined as any pupil who gives or expects to give birth, or any parenting pupil who identifies as the parent of an infant.

A pregnant or parenting pupil may return to their school and/or course of study in which he or she was previously enrolled, and is entitled to make up opportunities for any work missed during the leave. These students are allowed to enroll in a fifth year of high school in order to complete any state or local graduation requirements, except when the school finds that the pupil is reasonably able to complete these requirements in time to graduate high school by the end of their fourth year. A pregnant or parenting pupil who does not wish to reenroll in his or her previous school is entitled to alternative education options offered by the District. If so enrolled, the pupil shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular program. The District must provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding.

Furthermore, a school may not penalize a student for using any of the accommodations mentioned above. If a student believes that their school is discriminating on the basis of sex in opposition to the rights and entitlements listed above, that student can file a complaint through the District's UCP.

Rights of Foster Youth

(EC §§ 48850-48853.5, 51225.1, 51225.2; WIC § 16001.9)

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

The District's educational liaison for foster youth is, Julia Sutton Lead Mental Health Specialist, 619-361-9093. The role of the educational liaison is to: (1) ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster youth; (2) assist foster youth when transferring from one school or school district to another school or school district in ensuring proper transfer of records, credits, and grades; (3) notify a foster youth's attorney and county welfare agency representative(s) when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination review, when they are a student with a disability; and (4) address any disputes over school selection or enrollment.

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

1. Right to remain in the "school of origin." The school of origin can be the school attended when the student first entered foster care, the school most recently attended, or any school the foster youth attended in the last 15 months.
2. Right to immediate enrollment in school even if the foster youth is unable to produce records normally required for enrollment (e.g., proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (e.g., school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to priority enrollment in the District's before and after-school program or intersession program.
4. Right to full and partial credits for high school students.
5. Right to complete graduation requirements.
6. Right to certain school discipline protections, including the right to have the foster youth's educational rights holder, attorney, and county social worker notified when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination review for a foster youth who is a student with a disability, prior to a change in the foster youth's placement.
7. Right to have community college application fees waived and to receive federal student aid.
8. Right to access school records.
9. Right to file a complaint through the UCP if there is an allegation that the District has not complied with requirements regarding the education of foster youth.

For additional information and/or assistance, please contact the District's foster youth liaison. You can also review the standardized notice of foster youth rights posted on the CDE website with the following link: <https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>

Rights of Homeless Youth

(42 U.S.C. 11432; EC § 48851.5, 48852.5, 51225.1, 51225.2; AR 5111.13)

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth guarantees educational rights and supports for students experiencing homelessness. A homeless youth is defined as a child who lacks a fixed, regular, and adequate nighttime residence and includes children and youth who: (1) are sharing the housing of

other persons due to loss of housing, economic hardship, or a similar reason; may be living in motels, hotels, trailer parks, or shelters; (2) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; (3) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or (4) are migratory children who qualify as homeless because of similar living circumstances.

The District's educational liaison for homeless youth is Julia Sutton, Lead Mental Health Specialist, 619-425-9600 Ext. 181577. The role of the educational liaison is to: (1) ensure that homeless students are identified so that they have access to and receive educational services for which they are eligible; (2) assist homeless students when transferring from one school or school district to another school or school district in ensuring proper transfer of records, credits, and grades; (3) ensure that homeless families and students receive referrals for services, such as health care, dental, mental health, and housing; (4) assist, facilitate, or represent a homeless student who is undergoing disciplinary proceeding that could result in expulsion from the District; (5) participate in an IEP or Section 504 team meeting to make a manifestation determination regarding the behavior of a homeless student with disability; (6) address any disputes over school selection or enrollment; and (7) ensure that public notice of the educational rights of homeless children and youths and unaccompanied youths is disseminated in schools.

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

1. Right to receive a free appropriate public education.
2. Right to attend either the "school of origin" or the current school of residence. The school of origin can be the school attended when the student had permanent housing, the school most recently attended, or any school the homeless youth attended in the last 15 months.
3. Right to immediate enrollment in school even if the homeless youth is unable to produce records normally required for enrollment (*e.g.*, proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (*e.g.*, school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
4. Right to education and other services and to participate in all school activities and programs for which the youth is eligible.
5. Right to priority enrollment in the District's before and after-school program or intersession program
6. Right to automatically qualify for child nutrition programs.
7. Right to not be stigmatized by school personnel.
8. Right to the issuance and acceptance of partial credits for courses that have been satisfactorily completed by the homeless youth. The homeless youth must not be required to retake the portion of the course already completed unless it has been determined that he or she is reasonably able to complete the requirements in time to graduate from high school.
9. Right to be notified of the possibility of graduating from high school within four years by completing only the state graduation requirements instead of the District's graduation requirements or the possibility of completing the District's graduation requirements during a fifth year of high school.
10. Right to file a complaint through the UCP if there is an allegation that the District has not complied with requirements regarding the education of homeless youth.

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

For additional information regarding the education rights of homeless youth, please visit the District's website: <https://www.cvesd.org/departments/student-services/mckinney-vento-and-foster-youth>

Discrimination/Antisemitism

(AB 715; EC §§ 244, 262.3, 280 *et seq.*, 48980(o), 51500, 51501, 33800 *et seq.*, 60152)

California Assembly Bill ("AB") 715, effective January 1, 2026, amends several sections of the Education Code

relating to educational equity and discrimination and is aimed at preventing antisemitism in schools. Among other things, AB 715 establishes a California Office of Civil Rights (“OCR”) and an Antisemitism Prevention Coordinator to work directly with school districts and other LEAs to prevent and address antisemitism and other forms of discrimination and bias in schools. AB 715 prohibits the adoption or use of professional development materials or services to train teachers and staff that promote, endorse, or otherwise support the use of instructional materials that would subject a student to unlawful discrimination. AB 715 further prohibits the use of any instructional materials or professional development materials or services found to have resulted in unlawful discrimination. Instructional materials, including professional development materials, must be factually accurate and align with the State’s adopted curriculum and standards, and be consistent with accepted standards of professional responsibility, rather than advocacy, personal opinion, bias, or partisanship.

The District’s UCP continues to provide the formal complaint procedures for processing discrimination claims. Under AB 715, a complaint of discriminatory bias in instruction or a school-sponsored activity does not require a member of a protected group to be present or experience direct harm for the act to be considered discriminatory bias. If the State Superintendent of Public Instruction determines that an LEA has adopted or used discriminatory materials, the LEA is required to take specified corrective action, including the creation of an improvement plan if the unlawful discrimination involves antisemitism. If an LEA fails to timely issue an investigation report in response to a complaint of prohibited discrimination, a party to the complaint now has a statutory right to appeal to the California Department of Education on the grounds that a report was not timely.

The Boy Scouts of America Equal Access Act (34 C.F.R. § 108.6)

Pursuant to the Boy Scouts of America Equal Access Act, the District provides equal access to the use of school property to the Boy Scouts of America and other designated youth groups.

The Age Discrimination Act (42 U.S.C. § 6101 et seq.)

The Age Discrimination Act prohibits discrimination in programs or activities receiving federal and/or state financial assistance.

Uniform Complaint Procedures (UCP) (EC § 33315; 5 C.C.R. § 4622; BP/AR 1312.3)

The District annually notifies students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our UCP process. The District’s UCP Annual Notice is available on our website at www.cvesd.org. A copy of the District’s UCP process set forth in: [BP/AR 1312.3](#).

Williams Complaint Procedures (EC § 35186; AR 1312.4)

Every school must provide sufficient textbooks and instructional materials that are in good and usable condition. Every student, including English Learners (ELs), must have textbooks or instructional materials, or both, to use in class and to take home. School facilities must be clean, safe, and maintained in good repair so as not to pose an emergency or urgent threat to the health or safety of students or staff. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach ELs, if present.

Complaints alleging deficiencies related to instructional materials, school facilities, and/or teacher vacancy or misassignment must be addressed pursuant to the District’s Williams UCP, as set forth in District AR 1312.4.

Complaints must be filed with the principal or designee at the school in which the complaint arises and may be filed anonymously. However, complainants who identify themselves are entitled to have a response mailed to the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint if they indicate that a response is requested. Any complaint about problems beyond the authority of the school principal will be forwarded in a timely manner, but not to exceed 10 working days, to the Superintendent or designee. Reasonable efforts will be made to investigate the problem; remedies to a valid complaint will be implemented within a reasonable time period, not to exceed 30 working days from the date the complaint was received.

Notice of the Williams uniform complaint process and the location at which to obtain a complaint form is posted in all classrooms.

STUDENT DISCIPLINE

Expectations Concerning Student Conduct

(EC §§ 35291, 35291.5, 44807; BP 5131, and BP/AR 5144, 5144.1, 5144.2)

The District believes that all students have the right to be educated in a positive learning environment free from disruptions. Students are expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using District transportation. Rules and procedures related to student discipline, including those that govern suspension and expulsion, are set forth in Education Code section 48900 et seq. In addition, the District has established policies and rules related to student discipline that are consistent with the law and the rules prescribed by the State Board of Education pursuant to Education Code section 35291. Copies of the District's and/or school's rules related to student discipline are available upon request from your child's school.

All students participating in District programs or activities will comply with the District's policies, rules, and regulations, pursue their studies, and obey the valid authority of District staff. Any student who feels another participant is disrupting the student's learning environment is strongly encouraged to report that misconduct to a District staff member. The District staff member will, in turn, report to the designated administrator or other appropriate staff member in charge of handling student complaints. Staff expect all students enrolled in District programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process.

Every teacher has a duty to hold students accountable for their conduct on the way to and from school, on the playground, or during recess. A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree or physical control over a student that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of students, or to maintain proper and appropriate conditions conducive to learning.

Grounds for Suspension and Expulsion

(EC 48900, 48900.5, BP/AR 5144 & 5144.1)

The District believes that high expectations for student behavior, effective classroom management, and parent involvement can minimize the need for discipline. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. Staff will use preventative measures and positive conflict resolution techniques whenever possible. However, when District policies and standards of behavior are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. A student may be suspended or expelled for any acts listed below if the act is related to school activity or school attendance occurring at any District school or within any other school district, including, but not limited to, the following circumstances:

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.

The following are grounds for which a student in kindergarten through grade 12 may be suspended or expelled:

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.
3. 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 designee of the principal.
4. 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.
5. 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.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco, or products containing tobacco or nicotine products, 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.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm. An “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
15. 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.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in hazing. “Hazing” is any method of initiation or pre-initiation 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. “Hazing” does not include athletic events or school-sanctioned events.
18. Engaged in an act of bullying. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more 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 substantially detrimental effect on the pupil’s physical or mental health.
 - c. Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.
 - d. Causing a reasonable pupil to experience substantial interference with the pupil’s ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

19. A pupil who aids or abets the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, 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.
20. Made terrorist threats against school officials and/or school property. A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent actually carry it out.

Additional grounds for suspension and expulsion for students in grades 4 through 12 include:

1. Committed sexual harassment. Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (EC 48900(r) & 48900.2.)
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. Hate violence includes injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (EC 48900(r) & 48900.3.)
3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (EC 48900(r) & 48900.4.)

Any student may be referred to school administration for appropriate and timely in-school interventions or supports for acts of disrupting school activities or otherwise willfully defying school personnel. (EC § 48900(k).)

Suspension and Other Means of Correction

(EC § 48900.5)

Generally, suspension shall be imposed only when other means of correction fail to bring about proper conduct. The District may document the other means of correction used and place that documentation in the pupil's record. Other means of correction may include but are not limited to: (1) a conference between school personnel, the pupil's parent or guardian, and the pupil; (2) referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling; (3) study teams, guidance teams, or other intervention-related teams that assess behavior and develop and implement behavior plans; (4) referral for psycho-social or psycho-educational assessment; (5) participation in a restorative justice program; (6) after-school programs that address specific behavioral issues, and community service on school grounds during non-school hours.

A pupil may be suspended, for any of the reasons enumerated in Education Code 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 Education Code section 48900 or that the pupil's presence causes a danger to persons. A suspension shall be preceded by an informal conference between the principal, the principal's designee, or the district's superintendent of schools and the pupil, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At this conference, the pupil shall be informed of the reason for the disciplinary action and other means of correction that were attempted before the suspension, and the evidence against the pupil, and shall be given the opportunity to present their version and evidence in their defense.

Homework Assignments for Suspended Students

(EC § 48913.5)

Upon request of a parent, legal guardian, or other person holding the right to make educational decisions for the pupil, a teacher shall provide to a pupil in any of grades 1 to 12 who has been suspended from school for two or more school days the homework that the pupil would otherwise have been assigned. If a pupil turns in a homework assignment requested in the above manner to the teacher upon the pupil's return to school from suspension, or within the timeframe originally prescribed by the teacher (whichever is later), and it is not graded before the end of the academic term, that assignment shall not be included in the calculation for that pupil's overall grade.

SCHOOL ATTENDANCE

As part of this Notice, Education Code section 48980(g) requires the District to advise parents and legal guardians regarding all existing statutory and local attendance options that are available in the District, including programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. A description of all attendance and programmatic options that are available in the District is described below.

Residency Requirements for School Attendance

(EC §§ 48200, 48204, 48204.1, 48204.2, 48204.3, 48204.4, 48204.6, 48204.7, 48207)

Each person between the ages of 6 and 18 years (and not exempted under the law) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located.

A student shall be deemed to have complied with residency requirements for enrollment in a school district if they meet any of the following:

1. The student's parent/guardian resides within district boundaries.
2. The student is placed in a licensed foster home, licensed children's institution, or a family home that is located within the boundaries of the school district pursuant to a commitment or a placement under Welfare and Institutions Code section 200 *et seq.*
3. The student is a foster child who remains in their school of origin.
4. The student is admitted through an interdistrict transfer process.
5. The student is an emancipated minor who resides within the boundaries of the school district.
6. The student lives in the home of a caregiving adult that is located within the boundaries of the school district with appropriate paperwork on file with CVESD.
7. The student resides in a state hospital located within the boundaries of the school district.
8. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability.
9. The student's parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the student at the place of their employment within the boundaries of the school district for a minimum of three days during the school week.
10. One or both of the parents or legal guardians of the student is physically employed within the boundaries of the school district for a minimum of 10 hours during the school week if the district approves the student's admittance to its schools and the student thereafter enrolls in a school within the boundaries of the school district.
11. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state.
12. The student is a migratory child or a child of a military family who continues to attend their school of origin, regardless of any change of residence of the student.
13. The student's parent or parents were residents of this state and have departed California against their will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure. In Order to meet the residency requirements under this section, the student must provide official documentation of the parent/guardian's departure and evidence demonstrating that the student was enrolled in a public school in California immediately before moving outside the state.

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (EC §§ 48645.5, 48852.7, 48853.5; 42 USC § 11432)

In addition, migratory students have the right to attend their school of origin in a similar manner to the rights provided to foster students and homeless students. Migratory students must be allowed to continue to attend their school of origin regardless of any subsequent change of residency so long as the student continues to be a student “who is a migratory child.” A migratory student who is transitioning between grade levels must be allowed to continue to attend the school district of origin in the same attendance area. A migratory student who is transitioning to middle or high school must be allowed to attend the school district of origin’s designated middle or high school even if the school is located within another school district. The enrolling school district is required to enroll the student even if the student has outstanding fees or items due to the last school district, or if the student is unable to produce enrollment records. If the receiving school has a uniform policy, the student must immediately be enrolled even if the student does not have the appropriate school uniform clothes. If a migratory student loses their status as a “migratory child” during the school year, the student will be allowed to attend the school of origin for the remainder of the academic year if the student is enrolled in kindergarten or any grades 1 through 8. Migratory students in high school who lose their status as a “migratory child” must be allowed to continue at the school of origin through graduation. The school of origin is required to inform the student and their parents of the student’s eligibility to receive migrant education services. (EC § 48204.7.)

Residency Investigations

Reasonable evidence that a student meets residency requirements for school attendance must be provided by the parent upon request by a District employee. The governing board of CVESD has adopted AR 5111.1, which provides information regarding when an investigation may be initiated to verify residency: [AR 5111.1](#) (EC § 48204.1, 48204.2.)

Intradistrict “School Choice” Policy

(EC § 35160.5(b), BP/AR 5117)

Pursuant to Education Code section 35160.5(b), the District has established a policy of open enrollment, which sets forth the procedures and limitations related to intradistrict transfer requests. Students who reside within District boundaries may apply for enrollment in any District school, regardless of the location of the student’s residence in the District. However, the District retains the authority to maintain appropriate racial and ethnic balances among its schools. Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school’s attendance area. If at any time there are more transfer requests to attend a particular school than there are openings at the school, the District’s selection process will be “random and unbiased,” in accordance with the law. The District is not allowed to use a student’s academic or athletic performance as a reason to accept or reject a student’s transfer request. The District is authorized to adopt a selection process that takes into consideration special circumstances that might be harmful or dangerous to a particular student, whether the sibling of the student attends the school, and/or whether the student’s parent is employed at the school. In the event an intradistrict transfer is denied or revoked, parents do not have a right to appeal the decision.

The District approves intradistrict transfer requests on an annual basis. It is the intent of the District to continue to provide space for transferred students and their siblings when an initial intradistrict transfer is approved. The District’s processes and procedures are set forth in BP/AR 5117, which are attached as Appendix C of this Notice. For application forms and/or additional information, please contact: Student Placement office at (619) 425-9600 ext. 181570

Interdistrict Transfer Agreements

(EC § 46600 et seq.)

State law permits two or more school districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. School districts of

residence may not deny a transfer of a student whose parent is active-duty military where the district of proposed enrollment approves the application. If either district denies a transfer request, a parent may appeal that decision to the county board of education. The parent or guardian of a student may seek release from the home district to attend a school in any other school district if an Interdistrict Agreement is on file from the district of Residence. The District's interdistrict transfer policies and procedures are set forth in BP/AR 5117, which are attached as Appendix C of this Notice. For more information, contact the Student Placement office at (619) 425-9600 ext. 181570.

Interdistrict Transfers as a "School District of Choice" (EC §§ 48300-48317)

Each school district may, but is not required to, operate as a "school district of choice," and thereby accept transfer students from outside the school district pursuant to sections 48300 through 48314 of the Education Code. If the governing board of a school district decides to become a "school district of choice," it must determine the number of transfer students it is willing to accept each year and accept all students who apply to transfer until the school district is at maximum capacity. The school district of choice shall ensure that students admitted pursuant to the relevant "school district of choice" laws (EC §§ 48300-48314) are selected through an unbiased process that prohibits consideration of factors such as academic or athletic performance, physical conditions, or proficiency in English. If the district chooses not to become a "school district of choice," a parent may not request a transfer under these provisions.

Additional provisions of the "school district of choice" option include:

- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under the "school district of choice" provisions.
- Priority of transfer requests must be provided as follows: (1) siblings of students already attending school in the "district of choice" must be given first priority; (2) students eligible for free or reduced-price meals and pupils who are foster youth or homeless children or youth must be given second priority; (3) students of military personnel must be given third priority.
- The school district of choice must post transfer application information on its website, including any applicable forms, the timeline for a transfer, and an explanation of the selection process. All communications from a school district of choice regarding transfer opportunities must be available in all languages for which translations are required in the school district of residence under EC §48985. In addition, communications to parents by a school district of choice shall be factually accurate and shall not target individual parents or residential neighborhoods based on a student's actual or perceived academic or athletic skill, or other personal characteristics.
- Either the school district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. A school district of choice cannot deny a transfer request on the basis that the costs to provide services exceed the revenue received, but it may reject a request if doing so would require the creation of a new program. However, the school district of choice may not deny the transfer of any special needs student, including an individual with exceptional needs, or an EL student, even if the cost to educate the student exceeds the revenue received or the creation of a new program is required. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- A parent may request transportation assistance within the boundaries of the school district of choice. The district is required to provide transportation only to the extent it already does so.
- A school district in which an active-duty military parent of a student resides shall not deny the transfer of that student to a school in any district, if the school district to which the parent of the student applies approves the application for transfer.

Interdistrict Transfer Based on Parent Employment

(EC § 48204(b); AR 5111.12)

If at least one parent of a student is physically employed within the boundaries of a school district other than the one in which they live for a minimum of 10 hours during the school week, the student may be considered a resident of the school district in which their parents work. The Education Code does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Either the district in which the parent lives or the district in which the parent works may prohibit the student’s transfer if it negatively impacts a desegregation plan. In addition, the district in which the parent works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the district would receive for educating the student.

There are set limits (based on total enrollment) on the net number of students that may transfer out of a district pursuant to Education Code section 48204(b), unless the district approves a greater number of transfers. There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

California Open Enrollment Act

(EC § 48350 et seq.)

The California Open Enrollment Act permits students attending a “low-achieving school,” as identified by the California Superintendent of Public Instruction, to request a transfer to another school with a higher Academic Performance Index (API) within or outside the District. The California Department of Education (CDE) transitioned to a new accountability system, known as the California School Dashboard (referred to as the Dashboard), and no longer uses the former API accountability system. As a result, CDE is no longer able to produce a list of “low-achieving schools” for purposes of the Open Enrollment Act. For further information regarding the performance of a school district and/or school, please visit the [California School Dashboard \(Dashboard\)](#).

Notice of Alternative Schools

(EC § 58501)

Education Code section 58501 requires the following notice regarding alternative schools be included in this Notice:

Notice of Alternative Schools

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

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of his/her desire to learn.
3. Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
4. Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
5. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the

county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

A copy of the notice above shall also be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year.

Excused Absences

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code section 48260 *et seq.* In order for an absence to be excused, the reason for such absence must meet the criteria specified under Education Code 48205, which is set forth below.

Notwithstanding Section 48200 of the Education Code, a student shall be excused from school when the absence is:

- 1) Due to the student's illness, including an absence for the benefit of the student's mental or behavioral health.
- 2) Due to quarantine under the direction of a county or city health officer.
- 3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- 4) For the purpose of attending the funeral services or grieving the death of a member of his or her immediate family, or of a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, so long as the absence is not more than five days per incident.
- 5) For the purpose of jury duty in the manner provided for by law.
- 6) Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
- 7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the student's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- 8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- 9) For the purpose of spending time with a member of the student's immediate family who is an active-duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- 10) For the purpose of attending the student's naturalization ceremony to become a United States citizen.
- 11) For the purpose of participating in a cultural ceremony or event.
- 12) For the purpose of a middle school or high school student engaging in a civic or political event, provided that the student notifies the school ahead of the absence. A middle school or high school student who is absent pursuant to this section is required to be excused for only one school day-long absence per school year. A middle school or high school student who is absent pursuant to this section may be permitted additional excused absences in the discretion of a school administrator, as described in Education Code section 48260(c).
- 13) For any of the purposes described in a-c below, if an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, has died, so long as the absence is not more than three days per incident.
 - a. To access services from a victim services organization or agency.
 - b. To access grief support services.
 - c. To participate in safety planning or to take other actions to increase the safety of the student or an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such

close association with the student as to be considered the student's immediate family, including, but not limited to, temporary or permanent relocation.

Any absences beyond three days for the reasons described in a-c above shall be subject to the discretion of the school administrator or their designee pursuant to Education Code section 48260.

14) Due to the student's participation in military entrance processing.

15) Authorized at the discretion of a school administrator, as described in Education Code section 48260(c).

A student absent from school under Education Code section 48205 above shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of any class from which a student is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence.

For the purposes of Education Code section 48205 above, attendance at religious retreats shall not exceed one school day per semester. In addition, the following definitions apply:

- 1) "Immediate family," means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the student.
- 2) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- 3) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
- 4) "Victim services organization or agency" means an agency or organization that has a documented record of providing services to victims. (Cal. Gov't. Code § 12945.8(j)(10).)

Absence for Religious Instruction

(EC § 46014; BP/AR 5113)

Students, with written consent of their parents and prior approval from the District, may be excused from school for religious exercises or instruction not to exceed four school days in a month.

Absence for Confidential Medical Services

(EC § 46010.1)

Students in grades 7 to 12 may be excused for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.

Grade Reduction/Loss of Academic Credit

(EC § 48980(i))

No student shall have his/her grade reduced or lose academic credit for any excused absence pursuant to Education Code section 48205 for missed assignments/tests that can reasonably be provided and are satisfactorily completed within a reasonable period of time.

Truancy

(EC §§ 48260 et seq.)

A student shall be classified as "truant" and reported to the attendance supervisor or the superintendent of the school district if the student is absent from school without a valid excuse for three full days in one school year, or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. A minor who is classified as a truant may be required to attend makeup classes conducted on one day of a weekend pursuant to Education Code section 37223(c) and is subject to the following:

- 1) The first time a truancy report is issued, the student and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school designee to discuss the attendance issue and develop plan to improve attendance.
- 2) The second time a truancy report is issued within the same school year, the student may be given a written warning by a peace officer pursuant to Penal Code section 830.1. A record of the written warning may be kept at the school for not less than two years or until the student graduates or transfers from that school. If the student transfers from that school, the record may be forwarded to the school receiving the student's school records. The student may also be assigned to an afterschool or weekend study program located within the same county as the student's school. If the student fails to successfully complete the assigned study program, the student shall be subject to section 3 below.
- 3) The third time a truancy report is issued within the same school year, the student shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to Education Code section 48263.
- 4) The fourth a time truancy report is issued within the same school year, the student may be within the jurisdiction of the Juvenile Court that may adjudge the student to be a ward of the court pursuant to Welfare and Institutions Code section 601.

INSTRUCTION

California Healthy Youth Act (EC §§ 51934, 51938)

Students enrolled in CVESD programs or activities may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education. In addition, the California Healthy Youth Act requires schools to ensure that all students in grades 7 to 12, inclusive, receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education from instructors trained in the appropriate courses. Each student is required to receive instruction in sexual health and HIV prevention at least once in junior high or middle school and at least once in high school. A school district may provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction earlier than grade 7 using instructors trained in the appropriate courses.

The District may administer for students in Grades 7 to 12, inclusive, anonymous, voluntary, and confidential research and evaluation tools to measure students' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes concerning or practices relating to sex.

Parents have the right to:

- 1) Inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education and any test, questionnaire, or survey to be administered for research on student health behaviors and risks.
- 2) Request in writing that their child not receive comprehensive sexual health education and HIV prevention education or participate in research on student health behaviors and risks. Prior to the instruction taking place, an opt-out form is sent home to parents giving them the option to exclude their children. When a parent does not permit their child to receive such education or participate in such research, the child may not be subject to disciplinary action, academic penalty, or other sanction.
- 3) Request a copy of the California Healthy Youth Act (Education Code sections 51930 *et seq.*).
- 4) Be informed whether the comprehensive sexual health education or HIV prevention education will be taught by school district personnel or by outside consultants. When the District chooses to use outside consultants or hold an assembly with guest speakers to deliver comprehensive sexual health education or HIV prevention education, be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker
 - c. The right to receive a copy of Education Code sections 51933, 51934, and 51938.
- 5) Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential tests, questionnaire, or survey on student health behaviors and risks are being administered, an alternative educational activity shall be made available to students whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. Additional information is available from the school nurse.

Excuse from Health Instruction Based on Religious or Moral Beliefs (EC § 51240)

Students shall be excused from part of any school instruction in health if it conflicts with the religious training and beliefs of a parent upon written request of the parent.

Right to Refrain from Harmful Use of Animals (EC § 32255 *et seq.*)

Students may choose to refrain from participating in educational projects involving the harmful or destructive use of animals based on moral objections and may complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent or guardian must submit a written note of the objections to participating in an educational project involving the harmful or destructive use of animals.

Exemptions to Coursework Requirements for Certain Protected Students

(EC §§ 49700-49703, 51225.1, 51225.2)

This section applies to the following students: (1) “a pupil in foster care;” (2) “a pupil who is a homeless child or youth;” (3) “a former juvenile court school pupil;” (4) “a pupil who is a child of a military family;” (5) “a pupil who is a migratory child;” and (6) a “newcomer pupil.”

Any student who meets the definition of a student in one of the protected categories above (pursuant to the relevant Education Code definitions) and who transfers between schools at any time after the completion of the student’s second year of high school shall be exempt from all coursework and other graduation requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements, unless the school district makes a finding that the student is reasonably able to complete the school district’s graduation requirements in time to graduate from high school by the end of the student’s fourth year of high school.

Within 30 days of the student’s transfer into a school, the school district should determine whether the student is reasonably able to complete the school district’s graduation requirements within the student’s fifth year of high school. If the student is reasonably able to complete the school district’s graduation requirements within a fifth year of high school, the school district shall do all the following:

1. Consult with the student and the person holding the right to make educational decisions for the student regarding the student’s option to remain in school for a fifth year to complete the school district’s graduation requirements.
2. Consult with the student, and the educational rights holder, about how remaining in school for a fifth year to complete the school district’s graduation requirements will affect the student’s ability to gain admission to a postsecondary educational institution.
3. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges.
4. Permit the student to stay in school for a fifth year to complete the school district’s graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the educational rights holder.
5. For a student who meets the definition of “a pupil in foster care” or “a pupil who is a homeless child or youth,” consult with the student and the educational rights holder regarding the student’s option to remain in the student’s school of origin.

Within 30 calendar days of the date that a student transfers into a school who may qualify for the exemption from local graduation requirements, the school district shall notify the student and the student’s parent or guardian, or the educational rights holder, of the availability of the exemption and whether the student qualifies for an exemption. If the school district fails to provide timely notice, the student shall be eligible for the exemption from local graduation requirements, even if that notification occurs after the student no longer meets the definition of a student in one of the protected categories above.

If a student is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of his or her fourth year of high school, and that student would otherwise be entitled to remain in attendance at the school, the school district shall not require or request that the student graduate before the end of his or her fourth year of high school, nor shall the student be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a student is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a school district shall exempt the student within 30 days of the date of the exemption request, if an exemption is requested by the student or the educational rights holder and the student qualifies for the exemption. The exemption shall apply after the student no longer meets the definition of a student in one of the protected categories above while the student is enrolled in school or if the student transfers to another school or school district.

A school district shall not require, and a parent or guardian shall not request, a student to transfer schools solely to qualify the student for an exemption under this section.

The school district shall accept coursework satisfactorily completed by a student who meets the definition of a student in one of the protected categories above while attending another public school (including schools operated by the United States Department of Defense), a juvenile court school, or a nonpublic, nonsectarian school or agency, even if the student did not complete the entire course and issue that student full or partial credit for the coursework completed.

The school district may not require a student to retake a course if the student has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the school district may not require the student to retake the portion of the course the student completed unless the school district, in consultation with the educational rights holder, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course. The student shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

A complaint of noncompliance with the requirements of this section may be filed pursuant to the District's UCP. A complainant not satisfied with the decision of a school district may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. If a school district finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district shall provide a remedy to the affected student.

Sex Equity in Career Counseling and Course Selection (EC § 221.5(d))

Commencing in Grade 7, school personnel shall assist students with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the student and not on the student's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

College Admission Requirements and Career Technical Education (EC §§ 51225.3, 51229)

For students who wish to continue their education after high school, the State of California offers community colleges, California State Universities (CSU), and Universities of California (UC). In order to attend a community college, students need only be a high school graduate or 18 years of age. In order to attend a CSU, students have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if the student's GPA is 3.0 or above. In order to attend a UC, students must meet coursework requirements, obtain the necessary GPA and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. Students may also transfer to a CSU or UC after attending community college. For more information on college admission requirements, please refer to the following websites:

www.cccco.edu – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

www.assist.org – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

www.csumentor.edu – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

www.universityofcalifornia.edu – This massive website offers information regarding admissions, online application, and links to all UC campuses.

A Career Technical Education (CTE) program of study involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. For more information about CTE, visit: <https://www.cde.ca.gov/ci/ct/>.

Teacher Qualifications

(20 U.S.C. § 6312)

Parents or guardians of students who attend a school receiving Title I funds may request information regarding the professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s), including, at a minimum, the following:

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

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

If your child attends a Title I school and you would like the information noted above, please contact your child's principal. Parents may also obtain information regarding a teacher's credentials on the California Commission on Teacher Credentialing website at <https://www.ctc.ca.gov/> and looking up the teacher's credentials by entering the first and last name.

Medical or Hospital Services

(EC § 49471, 49472, 35331, 32221.5)

Injuries on School Grounds and/or at School-Sponsored Activities

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

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

Insurance for Athletic Teams

CVESD operates an interscholastic athletic team or teams and is required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the District offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health programs. Information about these programs may be found online at <https://www.cvesd.org/parents/family-and-community-resources/resources-for-food-medical-and-mental-health>. In addition, pursuant to Education Code section 32221.5, the District is required to provide the following notice regarding insurance coverage for members of athletic teams:

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling 866-975-9468.

School Accreditation

(EC § 35178.4)

CVESD will notify each parent or guardian of a student in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's internet website, or by any combination of these methods.

Surveys

(EC §§ 51513, 51514; 20 U.S.C. § 1232h)

CVESD will notify parents or guardians of the need for their written permission before any test, questionnaire, survey, or examination containing any questions about their child's personal beliefs or practices (or the student's family's beliefs or practices) in sex, family life, morality, and religion, may be administered to any pupil in kindergarten, or grades 1-12, inclusive. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt students out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third-party survey.

Please also note, the District may administer a Hanover Research survey to students in grades 4 through 12. Although the Hanover Research survey is not subject to the provisions of Education Code section 51513 or Title 20, United States Code section 1232h given the nature of the questions posed by that survey, parents and guardians are welcome to preview the Hanover Research survey by contacting the Instructional Services and Support department at (619) 425-9600 Ext. 181500 **California Proficiency Program**
(5 C.C.R. § 11523)

The California Proficiency Program is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible students who pass the proficiency test are awarded a Certificate of Proficiency by the State Board of Education. A student who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all coursework required for regular graduation from high

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

Cal Grant Program

(EC § 69432.9)

All students enrolled in grade 12 will be deemed Cal Grant applicants, unless they, or their parent or guardian if the student is 17 years or younger, specifically opt out of such notification. CVESD will electronically submit each 12th grade student's grade point average by March 2 of the student's 12th grade school year.

California Assessment of Student Performance and Progress

(EC §§ 52052, 60640)

The California Assessment of Student Performance and Progress (CAASPP) System was established on June 1, 2014. Commencing with the 2014-15 school year, the CAASPP System includes Smarter Balanced Summative assessments in English Language Arts and Math in grades three through eight and eleven and California Alternate Assessments (CAA) in English Language Arts and Math in grades three through eight and eleven for students with significant cognitive disabilities. The California Science Test for science is required for all students in grades five, eight, and once in high school unless the student's IEP indicates administration of the CAA. CVESD will administer the California Spanish Assessment (CSA) to third through sixth grade students who are enrolled in a Dual Language Immersion Program. The CSA allows students to demonstrate their reading, writing mechanics, and listening skills in Spanish. The test aligned is with the California Common Core State Standards en Español. ELs who have been enrolled in a school in the United States for less than twelve months will not take the Smarter Balance English Language Arts Assessment. A parent or guardian may make a written request to excuse his or her child from any or all parts of the assessment.

Language Acquisition Programs

(EC § 310)

The District offers the following language acquisition programs for student enrollment. Parents/guardians may choose a language acquisition program that best suits their child pursuant to Education Code section 310(a).

Program Type	Description
Structured English Immersion (SEI) Program	A language acquisition program for ELs in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated English Language Development (ELD) and provided access to grade level academic subject matter content with Integrated ELD. (EC §§ 305(a)(2), 306(c)(3).)
Dual-Language Immersion (DLI) Program (English/Spanish) (also referred to as Two-Way Immersion)	A language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of Spanish, with goals of high academic achievement, first- and second-language proficiency, and cross-cultural understanding. This program should be designed using evidence-based research and include both Designated and Integrated ELD. Typically, this program begins in transitional kindergarten/kindergarten (TK/K) and continues to sixth grade, but can continue through high school. (EC § 306(c)(1).)

How to Enroll Your Child in a Language Acquisition Program

Request for language acquisition program is done at the time of registration. Parents may submit a zone transfer to a school that offers a DLI program if their resident school does not currently offer one.

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

Schools in which the parents or legal guardians of 30 students or more per school, or the parents or legal guardians of 20 students or more in any grade, request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC § 310(a).) Parents may submit their request to the school's front office.

Parent and Community Engagement

Parents may provide input regarding language acquisition programs in the District or to be considered in the District during the development of the Local Control and Accountability Plan (EC § 52062). If interested in a different program from those listed above, please contact the Language Development and Instructional Services and Support Department to ask about the process.

STUDENTS WITH DISABILITIES

Section 504 and ADA Protections

Section 504 of the federal Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101 *et seq.*) prohibit discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

- For information regarding Section 504 protections, please contact: Aimee Sage, Coordinator of Special Education and Instruction, Aimee.sage@cvesd.org
- For information regarding the screening and evaluation procedures used by CVESD when there is a reason to believe a student has a disability under Section 504, please contact your school's psychologist.
- A student has the right to a written accommodation plan (504 Plan) if the student qualifies for services under Section 504.
- A student has the right to be educated with non-disabled students to the maximum extent appropriate based on the student's needs.

Special Education – IDEA

(20 U.S.C. § 1400 *et seq.*; 34 C.F.R. § 300.1 *et seq.*; EC § 56000 *et seq.*; 5 C.C.R. § 3000 *et seq.*)

Federal and state law require that a free appropriate public education (FAPE) in the least restrictive environment be offered to qualified students with disabilities ages 3 through 21 years, including students who are migrant or homeless or wards of the state and children with disabilities attending private schools.

Special Education CDE Complaints

(EC § 56500.2; 5 C.C.R. § 3080)

Parents or guardians have a right to file a written complaint with the CDE if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to the local educational agency serving the child at the same time the party files the complaint with the CDE. CDE Complaint procedures are available from your student's school principal.

Due Process Hearings

(EC § 56502)

Parents or guardians have the right to request an impartial due process hearing regarding the identification, assessment, or educational placement of their child, or the free appropriate public education for their child. The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. Please visit www.dgs.ca.gov/oah/SpecialEducation.aspx for the model for parents that wish to initiate due process hearings relating to special education rights.

Inspection of Records

(EC § 56043(n))

Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student's special education records within five business days after a request is made by the parent or guardian (either orally or in writing), and prior to any Individualized Education Program meeting, hearing, or resolution session regarding their child.

A copy of the District's Notice of Procedural Safeguards for parents or guardians, which provides an overview of the educational rights under the IDEA for children with disabilities, can be obtained by requesting a copy from the school principal or by using the following link: <https://bit.ly/2NsQY0e>

STUDENT RECORDS

Notification of Privacy Rights

(20 U.S.C. § 1232g; EC §§ 49062-49085; BP/AR 5022 & 5125)

The federal Family Educational Rights and Privacy Act (FERPA) and the Education Code provide parents and students certain rights of privacy and access concerning student records. “Student records” means any item of information directly related to an identifiable student, other than directory information, that is maintained by a school district or required to be maintained by an employee in the performance of his or her duties, whether recorded by handwriting, print, tapes, film, microfilm, or other means.

“Student records” do not include: (1) informal notes by a school officer or employee that remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute; (2) records of a law enforcement unit of an educational agency or institution that were created for use by the law enforcement unit; (3) employee records made for personnel use; (4) records of a doctor, psychologist, psychiatrist, or other treatment provider and/or assistant regarding a student who is age 18 or older, or who is attending a postsecondary educational institution, used only in connection with treatment of the student; (5) records created or received by an educational agency or institution after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; or (6) grades on peer-graded papers before they are collected and recorded by a teacher.

The rights of parents/guardians and eligible students related to student records include, but are not limited to:

1. The absolute right to access student records. The following individuals have the right to access student records: (a) parents or guardians of students who are age 17 and younger; (b) parents of students who are age 18 and older if the student is a dependent for tax purposes and the records are needed for a legitimate educational purposes; (c) students who are age 18 and older, or students who are enrolled in an institution of postsecondary instruction (called “eligible students”); (d) students who are age 14 and over who are identified as both homeless and unaccompanied youth; (e) individuals who have completed and signed a Caregiver’s Authorization Affidavit.
2. The right to inspect and review student records within five (5) business days of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will forward requests to the Custodian of Records. The Custodian of Records will make arrangements for access and notify the parent or eligible student. Copies of records may be requested and a small fee for reproducing the records may be charged by the school site.
3. The right to request the amendment of the student’s education records that the parent or eligible student believes to be any of the following: (a) inaccurate; (b) an unsubstantiated personal conclusion or inference; (c) a conclusion or inference outside of the observer’s area of competence; (d) not based on the personal observation of a named person with the time and place of the observation noted; (e) misleading; or (f) in violation of the privacy or other rights of the student.

Parents or eligible students should submit the request in writing to the school principal, which clearly identifies the part of the record they want changed and specifies the reasons for their request. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

4. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials and employees with legitimate educational interests.

School officials and employees are officials or employees whose duties and responsibilities to the District, whether routine or as a result of special circumstances, require that they have access to student records. School officials and employees include contractors, consultants, volunteers, or other parties to whom the District has outsourced District functions and who perform services for which the District would otherwise use employees. A school official or employee has a legitimate educational interest if the official or employee needs to review a student record in order to fulfill his or her duties and responsibilities to the District.

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

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

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

The Business Manager has been designated as the official responsible for the maintenance of each type of record (Custodian of Record). At each school site, the principal serves as the custodian of records for students enrolled at their school.

A log shall be maintained within each student's cumulative file that lists all persons, agencies, or organizations requesting or receiving information from the file and the legitimate interests of the requestor. The log shall be open for inspection by a parent at the student's school.

To provide copies of any student record, the District shall charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record.

Access to Student Records by Foster Family Agencies (EC § 49069.3)

A foster family agency with jurisdiction over a currently enrolled or former student, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of a student may access the current or most recent records of grades, transcripts, attendance, discipline, online communications on school platforms, any IEPs or Section 504 plans maintained by the responsible LEA of that student. The above-referenced individuals may access the student records listed above solely for the purpose of monitoring the student's educational progress, updating and maintaining the student's education records as required by Welfare and Institutions Code section 16010, and to ensure the student has access to educational services, supports, and activities, including enrolling the student in school, assisting the student with homework, class assignments, and college and scholarship applications, and enrolling the student in extracurricular activities, tutoring, and other afterschool or summer enrichment programs.

Directory Information (34 C.F.R. § 99.3; EC § 49073)

Student directory information is made available by the District in accordance with state and federal laws. FERPA defines "directory information" as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The District has designated the following types of information related to students as "directory information:" name, birth date, address, telephone number, email address, major course of study, photographs, videos, participation in officially recognized school activities

and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent previous public or private school attendance.

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

The District has determined that the following individuals, officials, or organizations may receive directory information:

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

Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her student's directory information. Parents/guardians must notify the District in writing every year if they do not want the District to disclose directory information from their child's education records without prior written consent.

No information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. In addition, directory information related to homeless and unaccompanied youth will not be released without the express written consent of its release by the eligible pupil, his/her parent or guardian. However, directory information related to homeless youth may be released to facilitate an eye examination by a nonprofit provider under Education Code section 49455.5 or a free oral health assessment hosted by a District school under Education Code section 49452.8.

Parents of secondary students may request in writing that the student's name, address, and telephone listing not be released to armed forces recruiters without prior written parental consent. (EC § 49073.5.)

Also, in accordance with Education Code section 49073.2, the District shall not include the directory information or the personal information of a student or of a parent or guardian of a student in the minutes of a meeting of its governing body, except as required by judicial order or federal law, if a student who is 18 years of age or older or a parent or guardian of a student has provided a written request to the secretary or clerk of the governing body to exclude his or her personal information or the name of his or her minor child from the minutes of a meeting of the governing body. Personal information includes a person's address, telephone number, date of birth, and email address.

Transfer of Student Records

(EC § 49068)

Upon request from officials of another school, school system, or postsecondary institution in which a student seeks or intends to enroll or is already enrolled, the District is authorized to disclose education records without parental consent as long as the disclosure is for purposes related to the student's enrollment or transfer. If the student transfers into the District from another public or private school, the District will inform the parent of the parent's right to receive a copy of the records received from the former school. The parent will also be informed of their right to have a hearing in which to challenge the contents of that record.

Availability of Prospectus

(EC § 49091.14)

Each school site shall create a prospectus which includes the curriculum, including titles, descriptions, and

instructional aims of every course offered by the school. The prospectus shall be made available upon request by parent or guardian. School officials may charge for the prospectus an amount not to exceed the cost of duplication.

Retention and Destruction of Student Records

(5 C.C.R. § 430 et seq.; BP/AR 5125)

Per state and federal law, the District keeps the following *mandatory permanent records* indefinitely: student's legal name, date and place of birth, sex, entry and leave date each school year, subjects taken, marks or number of credits toward graduation, verification of or exemption from required immunization, date of high school graduation or equivalent, and parent's name and address (including the student's address if different, and the annual verification of residency for both the student and the parent).

The District also keeps the following *mandatory interim records* until three years after the student leaves or graduates, or their usefulness has ceased: log identifying persons or agencies who have requested or received information from the student record, health information, information on participation in special education programs, language training records, progress slips/notices, parental authorizations/restrictions/waivers, rejoinders to challenged records, results of standardized tests administered within the past three years, expulsion orders, and independent study evaluation and findings.

Permitted records, which are records that the District has determined important to maintain, may include, but are not limited to, objective counselor and teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavior patterns, disciplinary notices, and supplementary attendance records. Permitted records may be destroyed when their usefulness ceases and/or after six months following the student's completion of or withdrawal from the District.

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

Records that are not designated as mandatory permanent records are reviewed to determine any records that still need to be retained and those that are appropriate for destruction. Records shall be destroyed in a way that ensures they will not be available to possible public inspection in the process of destruction.

HEALTH/WELLNESS AND NUTRITION

Absence from School for Illness

Students with recurring and/or ongoing health problems may miss days of school because of symptoms of illness. When a student is absent numerous school days, school personnel may require parents to provide the school with a doctor's explanation of the symptoms and/or chronic health issue(s) that keep the student from attending school. The purpose of providing this information assists the collaboration between parents/guardians, attending physician, and school staff to best support the student's needs and to help minimize absence as much as possible. Please refer to the informational guidelines under "Guidelines for Keeping a Student Home" available on the District website at: <https://www.cvesd.org/departments/student-services/wellness-programs>

Assistive Devices

Occasionally students need to use assistive devices such as crutches, wheelchairs, casts, or walking boots to attend school. To reduce risk to a student and others, parents or guardians will provide notification from a physician responsible for managing the student's condition. The notification must include:

- The equipment prescribed for use at school.
- An acknowledgement that the student received instructions on safe use of the device.
- Parent consent for District staff to communicate with the prescribing health professional if clarification is required.
- Anticipated amount of time equipment will be needed.

Until such notification is received from a health professional, students' activities will be at the discretion of the site administrator(s) or nurse (e.g. the student may not be allowed to play on the blacktop or playground). Parents or guardians can request a copy or download from the District website the form entitled "Orthopedic/Medical Equipment Orders for School" at: <https://www.cvesd.org/fs/resource-manager/view/9a58d901-51a6-4942-9f91-3ea405ce981f>

For a student whose temporary or permanent disability keeps him or her from full participation in physical education, the parent or guardian shall have a physician (Doctor of Medicine (MD), Doctor of Osteopathic Medicine (DO), Nurse Practitioner (NP), or Physician Assistant/Associate (PA) responsible for managing the student's condition describe restrictions and allowances for a modified physical education program. Parents or guardians can request a copy of the form entitled "Activity Limitation Checklist" or "Activity Limitation Plan" as needed. Both forms are available on the District website at: <https://www.cvesd.org/fs/resource-manager/view/f565191f-f9b3-4cf1-8999-22d04aca10cf>

Concussions-Head Injuries

Parents/guardians are required to notify the school nurse/health office when a student has a concussion. During the days or weeks after a concussion, students require extra observation at school to determine if they are having problems that need to be addressed. If a student experiences concussion symptoms at school, the parent/guardian will always be notified. Students who have had symptoms of concussion will be observed at school and their activity levels monitored per District protocols. Parents or guardians are responsible for notifying the school by providing a physician's statement including length of time and any activity limitations.

On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent(s) before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Control of Communicable Diseases

(EC § 49403; HSC § 120370; BP/AR 5141.22)

The District is required to cooperate with the County of San Diego Health and Human Services Agency to prevent and control communicable diseases in school-age children. When there is good reason to believe a student has a recognized contagious or infectious disease and the student's documentary proof of immunization status does not show proof of immunization against that disease, the parent/guardian will be contacted, and the student sent home. The student may be excluded from school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the contagious or infectious disease.

Immunization (Shot) Requirements

(EC §§ 48216, 49403; HSC §§ 120325, 120335, 120370, 120372, 120375, 120440; BP/AR 5141.22, 5141.31)

State law requires that all students in preschool through grade 12 be immunized against certain diseases unless they are exempt for medical reasons. At the time of registration, the school is required to have proof that a child has received all currently due immunizations. Students may not be admitted into any District school for the first time nor admitted or advanced into grade 7 unless they have met the immunization requirements, or the parent files a compliant medical exemption.

The District participates in the California Immunization Registry (CAIR), a confidential, statewide computer system that keeps track of immunizations. Medical exemptions can only be issued through the California Immunization Registry - Medical Exemption (CAIR-ME) website. A medical exemption filed at the school before January 1, 2020, will remain valid until the earliest of:

- When the student enrolls in the next grade span (TK/K-6th grade or 7th-12th grade).
- The expiration date on the temporary medical exemption.
- Revocation of the exemption because the issuing physician has been subject to disciplinary action from the physician's licensing entity.

Parents of students in any school are not allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016, for a student in elementary school will continue to be valid until the student enters the 7th grade.

Parents/guardians should check with their pediatrician, family physician or medical clinic to ensure their child is fully immunized in accordance with the requirements below.

Students Entering Preschool (18 months through 5 years) Need the Following Immunizations:

- Tetanus, Diphtheria, Pertussis (DTaP) – 4 doses
- Polio – 3 doses
- Hepatitis B (Hep B) – 3 doses
- Varicella (Chickenpox) – 1 dose
- Haemophilus influenza type b (Hib) – 1 dose (on or after 1st birthday)
- Measles, Mumps, and Rubella (MMR) – 1 dose (on or after 1st birthday)

New and Transfer Students Entering TK/K-12th Grade Need the Following Immunizations:

- Tetanus, Diphtheria, Pertussis (DTaP, DTP, Tdap, or TD) – 5 doses (4 doses acceptable if one was given on or after 4th birthday; 3 doses acceptable if one was given on or after 7th birthday)
- Polio (OPV or IPV) – 4 doses (3 doses acceptable if one was given on or after 4th birthday)
- Hepatitis B (Hep B) – 3 doses
- Measles, Mumps, and Rubella (MMR) – 2 doses (both must be given on or after 1st birthday)
- Varicella (Chickenpox) — 2 doses (history of disease or positive lab results do NOT meet this requirement)

Students Entering 7th Grade Need the Following Additional Immunizations:

- Tetanus, Diphtheria, Pertussis (Tdap) – 1 dose (given after age 7)
- Whooping cough booster – usually given at 11 years and up
- Varicella (Chickenpox) – 2 doses (usually given at age 12 months and 4-6 years)

The immunization requirements for school attendance are also available on the District's Immunization Requirements webpage at <https://enrollnow.cvesd.org/cms/One.aspx?portalId=13150019&pageId=24094889>

HPV Prevention

(EC § 48980.4; HSC § 120336)

Beginning July 1, 2026, students entering the sixth grade are advised to adhere to immunization guidelines, as recommended by the State Department of Public Health regarding full human papillomavirus (HPV) immunization, before advancement to grade eight. HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks.

The State Department of Public Health advises that the HPV vaccine is recommended for all children at age 9-12 years to ensure they are protected before they are exposed to the virus and to help prevent various cancers later in life. Adolescents at ages 9-14 require two doses spaced 6 months apart. Teens at ages 15 and older require a three-dose schedule.

For additional information regarding HPV immunization recommendations, please visit the Immunization Branch Campaigns webpage on the California Department of Public Health ("CDPH") website at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/Campaigns.aspx>

Medical Record Sharing

(HSC § 120440)

Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student or parent/guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student or parent/guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.

Physical Examination/Health Screenings

(EC §§ 49451, 49452, 49455; BP/AR 5141.3)

Hearing and Vision Screening

State law requires the testing of the sight and hearing of each student enrolled in the District. Routine hearing and vision screenings will be provided as follows:

- Hearing screening for all students in grades TK, K, 2, 5, 8.
- Vision screening for grades TK, K, 2, 5, 8.
- New students and students referred by parents or school personnel.

Vision screenings shall include tests for visual acuity, near vision, and color vision; however, color vision shall be screened once and only on male students. The vision screening may be waived upon presentation of a certificate from a physician, surgeon, physician assistant, or optometrist setting out the results of a determination of the student's vision, including visual acuity and color vision. The vision screening is not required if a parent files a written objection based on a religious belief with the principal.

Scoliosis Screening

The District may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis.

Right to Withhold Consent to Physical Examinations

A parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student will be exempt from any physical examination, but if there is good reason to believe the student is suffering from a recognized contagious or infectious disease, the student shall be excluded from attendance and not permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

Kindergarten Oral Health Assessment (KOHA)

(EC § 49452.8)

Many things influence a child's progress and success in school, and one of the most important is their health. Children must be healthy to learn and children with cavities are not healthy. Cavities are preventable, but they affect more children than any other chronic disease. Additionally, dental disease is one of the most common reasons for school absences, and children in pain, even when they attend class, are unable to concentrate and learn.

Baby teeth are very important – they are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school. Tooth decay is an infection that does not heal and can be painful if left without treatment. If cavities are not treated, children can become sick enough to require emergency room treatment, and their adult teeth may be permanently damaged.

To make sure children are ready for school, state law requires that children have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is their first year in public school. Assessments that have happened within the 12 months before the child enters school also meet this requirement. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional. The school and District will maintain the privacy of all students' health information. A student's identity will not be associated with any report produced as a result of this requirement.

A parent of a student may be excused from complying with this requirement by indicating that the oral health assessment could not be completed because (1) it poses an undue financial burden on the parent; (2) parent lacks access to a licensed dentist or other licensed or registered dental health professional; or (3) parent does not consent to an assessment.

For children with Medi-Cal/Denti-Cal insurance, parents can find a dentist who takes this insurance by calling (800) 322-6384 or by visiting the Denti-Cal website at <https://dental.dhcs.ca.gov/>. To find a low- or no-cost clinic in the community, visit www.californiahealthplus.org.

Pediculosis Policy (Head Lice)

(BP 5141.33)

The problem of head lice (pediculosis) is ongoing and can be difficult to control at home and at school. Head lice and nits (eggs) are not a threat to health but are a frustrating nuisance. Treating students with a positive diagnosis of head lice promptly ensures minimal disruption of their education. When a student is identified as having head lice, the student will be sent home at the end of the school day for treatment. It is the responsibility of the parent/guardian to treat and control head lice infestation. The key to success in controlling head lice is in the removal of all nits after the use of the pediculicide. After home treatment, it is mandatory for the student to return to school the next day for inspection at the health office. The student may return to class provided the head lice have been treated and there

are no live lice in the hair, even if nits (eggs) are still present. Parents/guardians should continue removing nits until the problem is resolved. There is no evidence that mass screenings (school-wide or whole classrooms) help to control head lice infestation or re-infestation. Parents/guardians are encouraged to incorporate inspecting their child's hair as part of their regular hygiene routine.

Administration of Medication at School

(EC § 49423, 49423.1; BP 5141.21)

The school nurse or other designated school employees may assist students who need to take prescribed medication during school hours only upon written request of both the physician/surgeon and the parent. The District must receive the following written statements prior to the administration of prescribed medication at school:

1. A written statement from the physician/surgeon detailing the name, method, amount, and time schedules that the medication is to be administered; and
2. A written statement from the student's parent/guardian authorizing the District to assist the student in the administration of the medication as set forth in the written statement from the physician/surgeon.

In order for a student to carry and self-administer prescription epinephrine delivery systems and inhaled asthma medication, the District must receive the following written statements:

1. A written statement from the physician/surgeon detailing the name, method, amount, and time schedules that the medication is to be administered; and
2. A written statement from the student's parent/guardian consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the student's health care provider regarding any questions that may arise with regard to the medication, and releasing the District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication.

All medications must be in the original pharmacy container with the original prescription label adhered to the container. Parents/guardians who request school staff members to administer medications should understand and acknowledge that school health personnel may be required to communicate with the student's prescribing health professional if the school requires clarification about the administration of medication at school. No other prescription or over-the counter medications, vitamins, herbs, or alternative medications may be carried by students on their person, in a backpack or other container except as indicated above and with the express knowledge and permission of the school nurse. A student may be subject to disciplinary action if the student uses epinephrine delivery systems or inhaled asthma medication in a manner other than as prescribed.

Please contact the school nurse should you have questions regarding the administration of medication at school. Forms for medication administration or procedure are available at your child's school.

Students on Medication Regimen at Home

(EC § 49480; BP/AR 5141.21)

The parent/guardian of a student on a continuing medication regimen at home for a nonepisodic condition is required to inform the school nurse or other designated certificated school employee of the medication being taken, current dosage, and name of the supervising physician. With parental consent, the principal or school nurse may communicate with the physician and may counsel with school personnel regarding possible effects of the medication on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose. This information is gathered annually on the Health Information Exchange form distributed to parents/guardians at the beginning of each year. If new medications are started at any time during the school year, parents/guardians must notify the school health office.

Physical Education Exemption Due to Illness/Injury

(EC § 51241; BP 6142.7)

The District may grant a temporary exemption to a student from courses in physical education if the student is ill or injured and a modified program to meet the needs of the student cannot be provided. For a student whose temporary or permanent disability keeps him or her from full participation in physical education, the parent/guardian shall provide a medical note from a qualified health professional (MD, DO, NP, or PA) responsible for managing the student's condition that describes the student's restrictions and allowances for a modified physical education program. Parents or guardians can request a copy of the form entitled "Activity Limitation Checklist" or "Activity Limitation Plan" as needed. Both forms are available on the District website at <https://www.cvesd.org/departments/student-services/wellness-programs/physical-education-fitness-physical-activity>

Individual Instruction for Students with Temporary Disabilities

(EC §§ 48206.3-48208; BP 6183)

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled and after which the student can reasonably be expected to return to regular day classes or the alternative education program. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs under state and federal special education laws.

A student enrolled in regular day classes or alternative education program who has a "temporary disability" that makes attendance impossible or inadvisable may receive individualized instruction for one to five hours a week, following the District's regular school calendar.

It is the responsibility of the parent to notify the school when a student has a temporary disability. Once notified that a student has a temporary disability, the District must determine within five working days whether the student should receive individual instruction. If determined that individual instruction is appropriate, the instruction will begin within five working days from the date the determination was made.

If a student with a temporary disability is in a hospital or other residential health facility (qualifying hospital), excluding a state hospital, that is located outside the school district in which the student's parent resides, it is the parent's responsibility to notify the school district in which the qualifying hospital is located of the student's presence. The location of the qualifying hospital is considered the student's place of residence during their stay there, and as such, the student will receive individual instruction from the school district in which they are temporarily residing. The school district may enter into an agreement with the student's previous school district to have that district provide the student with individual instruction.

The District may continue to enroll a student with a temporary disability who is receiving individual instruction in a qualifying hospital to facilitate the timely reentry of the student in their prior school after the hospitalization has ended, or to provide a partial week of instruction at school or at home to a student who is no longer confined to the hospital setting. The total days of instruction may not exceed the maximum of five days in the combined setting, and attendance may not be duplicated.

Type 1 Diabetes

(EC § 49452.6)

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

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

- According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths

to 35 per 10,000 youths, respectively.

- The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

Type 1 diabetes affects insulin production.

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

Risk Factors Associated with Type 1 Diabetes

It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.

Risk Factors

Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

- Increased thirst
- Increased urination, including bed-wetting after toilet training
- Increased hunger, even after eating
- Unexplained weight loss
- Feeling very tired
- Blurred vision
- Very dry skin
- Slow healing of sores or cuts
- Moodiness, restlessness, irritability, or behavior changes

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

- Fruity breath
- Dry, flushed skin
- Nausea
- Vomiting
- Stomach pains
- Trouble breathing
- Confusion

Types of Diabetes Screening Tests That Are Available

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

Type 1 Diabetes Treatments

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

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

Type 2 Diabetes

(EC § 49452.7)

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

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

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

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

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

Risk Factors

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

- **Being overweight.** The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- **Family history of diabetes.** Many affected children have at least one parent with diabetes or have a significant family history of the disease.
- **Inactivity.** Being inactive further reduces the body's ability to respond to insulin.

- **Specific racial/ethnic groups.** Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- **Puberty.** Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

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

Warning Signs and Symptoms

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

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

Prevention Methods and Treatments

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

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

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

Types of Diabetes Screening Tests That Are Available

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

Pupil Nutrition/Free and Reduced-Price Meals

(EC §§ 49501.5, 49510 et seq.)

The California Universal Meals Program requires public school districts, county offices of education, and charter schools serving students in kindergarten through grade 12 to provide two free meals (breakfast and lunch) during each school day to any students who request a meal, regardless of the students' eligibility for free or reduced-price meals. As such, the District will provide two school meals free of charge during each school day to any student who requests a meal, with a maximum of one free meal for each meal service period (breakfast and lunch). The meals provided pursuant to this program shall be nutritionally adequate meals that qualify for federal reimbursement.

Local School Wellness Policy

(EC § 49432; BP 5030)

Pursuant to the Healthy, Hunger-Free Kids Act of 2010, the District has adopted a comprehensive School Wellness Policy to support student health and learning. The Wellness Policy was developed by the District's Wellness Committee consisting of parents, local health professionals, District trustees, teachers, and administrators. The policy focuses on nutrition education, physical activity, and overall student/staff wellness.

While the policy focuses on promoting student health and wellness, it may impact parents in regards to school parties and events. The policy asks that celebrations involving non-compliant (*e.g.*, does not meet the California Nutrition Standards) foods be considerate of the policy objective and the nutritional limitations of those participating in the event. The policy also encourages parents to provide food items that meet the California Nutrition Standards.

A copy of the District's wellness policy can be accessed on the District's website or using the following link: [Wellness Policy](#)

Specialized Diet/Meal Accommodations

Parents/guardians may request modifications to school meals for students with dietary restrictions based on a disability. Parents/guardians must provide the District with the *Medical Statement to Request Special Meals and/or Accommodations* form signed by a licensed physician, which is available at the student's school site and on the District's Child Nutrition Services webpage at <https://www.cvesd.org/parents/child-nutrition-services>.

Access to Student Mental Health Services

(EC § 49428)

The District is committed to promoting health and well-being of its students. In accordance with its notification obligations pursuant to Education Code section 49428, the District provides the following information on how to initiate access to available student mental health services on campus or in the community, or both.

Student Suicide Prevention Policy

(EC § 215; BP 5141.52)

The District recognizes that suicide is a major cause of death among youth and should be taken seriously. In accordance with state law, the District has adopted an age-appropriate policy on student suicide prevention, which addresses procedures relating to suicide prevention, intervention, and postvention. The District's student suicide prevention policy is set forth in District BP 5141.52. For further information or a copy of BP 5141.52, please visit the District's website:

[Suicide Prevention BP 5141.52](#)

Tobacco-Free Campus

(HSC § 104420, 104495, 104559; EC § 48901; BP/AR 5131.62)

The use of tobacco and nicotine products is prohibited on or within school or District grounds, buildings, and vehicles, and/or within 250 feet of a youth sports event. Smoking a cigarette, cigar, or other tobacco-related product and disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground or sandbox area is also prohibited. Tobacco products include, but are not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (*e.g.*, electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids. Any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. Any person who violates this provision of law is guilty of an infraction and will be punished by a fine of two hundred fifty dollars (\$250) for each violation. Further, any students who possess or use tobacco on school premises or at school-sponsored events shall be subject to discipline.

Student Athletes and Prescription Opioids

(EC § 49476)

An opioid is a controlled substance that can be prescribed by a health care provider to relieve moderate-to-severe pain, after a surgery or injury, or for certain health conditions. Opioids include prescription drugs such as hydrocodone, oxycodone, morphine, and codeine. Although these medications can be an important part of treatment, they carry serious risks of addiction and overdose, especially with prolonged use.

On a yearly basis, an acknowledgment of receipt of the Opioid Fact Sheet for Patients published by the Centers for Disease Control and Prevention must be signed and returned by the student athlete and the student athlete's parent before the athlete initiates practice or competition. This requirement does not apply to athletic activity conducted during the regular school day or as part of a physical education course.

Asbestos Management Plan

(40 C.F.R. § 763.93)

The District maintains a management plan for asbestos-containing materials for all District buildings. The current asbestos management plan is available for inspection at the District office during normal business hours.

Use of Pesticides

(EC § 17611.5, 17612, 17610.5, 48980.3; AR 3514.2)

The District has developed an integrated pest management plan to provide a safe and low-risk approach to manage pest problems while protecting the environment, people, and property. CVESD's integrated pest management plan can be found on the District's website at <https://www.cvesd.org/parents/annual-notifications/pest-management-pesticide-use>. Parents/guardians may also view the integrated pest management plan at CVESD Facilities Department at 84 East J Street, Chula Vista, CA 91910, during normal business hours.

For the name of all pesticide products and the active ingredient(s) in the products that are expected to be applied at District school sites during the upcoming year, please refer to Appendix D. Persons wishing to be notified in advance of individual pesticide applications may register with CVESD for that purpose. To register, contact your school's office. Additional information on pesticides is made available by the Department of Pesticide Regulation at www.cdpr.ca.gov.

If a pesticide product not included in the annual notification is subsequently intended for use at the school site, the school designee shall provide written notification of its intended use at least 72 hours before application.

SCHOOL SAFETY

Comprehensive School Safety Plan

(EC §§ 32280 et seq.; BP/AR 0450)

Each school in the District is required to develop a school safety plan, which includes, among other things, a comprehensive disaster preparedness plan. The school safety plans are reviewed and updated each year and forwarded to the District's Governing Board for approval at a regularly scheduled meeting. Prior to Board approval, specified persons and entities are notified of a public meeting that provides members of the public an opportunity to express an opinion about the plan. Except for the section on tactical responses to criminal incidents, a school's most current safety plan is readily available for inspection by the public upon request at its school office. A description of key elements and the status of the school safety plan is also included in the School Accountability Report Card (SARC).

School Bus and Passenger Safety

(EC § 39831.5)

All students in prekindergarten through grade 12 who are transported in a school bus or school student activity bus are required to receive instruction in school bus emergency procedures and passenger safety. School bus safety instruction is provided to all new students and students not previously transported by school bus in the District and must include the following information: (1) a list of school bus stops near each student's home; (2) general rules of conduct at school bus loading zones; (3) red light crossing instructions; (4) school bus danger zone; and (5) walking to and from school bus stops.

All students in prekindergarten through grade 8 who receive home-to-school transportation shall receive safety instruction, at least once per school year, that includes, but is not limited to: (1) proper loading and unloading procedures, including escorting by the driver; (2) how to safely cross the street, highway, or private road; (3) instruction on the use of passenger restraint systems; (4) proper passenger conduct; (5) bus evacuation; and (6) location of emergency equipment. The school bus safety instruction may also include responsibilities of passengers seated next to an emergency exit. As part of the instruction, students shall evacuate the school bus through emergency exit doors.

Instruction on the use of passenger restraint systems, when a passenger restraint system is installed, shall include, but not be limited to, all of the following: (1) proper fastening and release of the passenger restraint system; (2) acceptable placement of passenger restraint systems on pupils; (3) times at which the passenger restraint systems should be fastened and released; and (4) acceptable placement of the passenger restraint systems when not in use.

Dress Code/Gang Apparel

(EC § 35183; BP/AR 5132)

The District believes that appropriate dress and grooming contribute to a productive learning environment. Students are expected to come to school appropriately dressed and to refrain from wearing clothing that presents a health or safety hazard, or distraction which would interfere with the educational process. Students failing to dress appropriately will be asked to change. In addition, individual school sites are permitted to establish a reasonable dress code that prohibits gang-related apparel. Contact your child's school for information regarding the school's dress code.

Sun Protective Clothing/Use of Sunscreen

(EC § 35183.5)

CVESD allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day and authorizes sites to establish a policy related to the use of sunscreen by students during the school day.

Unsafe School Choice

(20 U.S.C. § 7912; 5 C.C.R. § 11992)

Students shall be allowed to attend a safe school. The District shall notify parents or guardians of students in elementary and/or secondary schools that have been designated as “persistently dangerous” by the CDE and of available options for attendance at a safe school.

Firearms Safety Memorandum

(EC §§ 48986, 49390-49395)

The purpose of this memorandum is to inform and to remind parents and legal guardians of students in the Chula Vista Elementary School District of their responsibilities for keeping firearms out of the hands of children as required by California law. Seventy-four percent of children know where their parents’ firearms are stored, and 60 percent report that they have handled them. (Baxley F, Miller M. Parental Misperceptions About Children and Firearms. *Arch Pediatr Adolesc Med*. 2006;160(5):542–547. doi:10.1001/archpedi.160.5.542.) Sadly, over 80 percent of teens who have died by suicide used a firearm that belonged to someone in their home. (Barber, C., Azrael, D., Clark, D. E., & Hemenway, D. (2010). Who are the owners of firearms used in adolescent suicides?. *Suicide & life-threatening behavior*, 40(6), 609–611.) **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to ensure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child’s parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others. (See Cal. Penal Code §§ 25100-25125 and 25200-25220.)
 - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child’s parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm. (See Cal. Penal Code § 25100(c).)
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years. (See Cal. Civil Code § 29805.)
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person’s child or ward. (See Cal. Civil Code § 1714.3.)

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Dangerous Objects

(EC §§ 49330-49335; PC §§ 417.2, 417.27, 417.4; BP/AR 5131.7)

The District desires students and staff to be free from the fear and danger presented by weapons and other dangerous objects. The District prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school-related purpose. Please refer to District BP/AR 5131.7 regarding the District's policy related to weapons and dangerous instruments.

Child Abuse and Neglect Reporting

(PC §§ 11164 et seq.)

CVESD employees, Board members, contractors to the District who have contact with or supervision of students, and volunteers over 18 years of age who interact with students outside the immediate supervision or control of the students' parent or a school employee are considered "mandated reporters." As such, they are required by law to report all known or suspected cases of child abuse and neglect to the appropriate law enforcement agency when there is reasonable suspicion that abuse and/or neglect has occurred. "Reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on their training and experience, to suspect child abuse or neglect. "Reasonable suspicion" does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

Disruption in Public School or Meeting

(EC § 32210)

Any person who willfully disturbs any public school or public school meeting is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500).

Sex Offender/Megan's Law Notification

(PC § 290 et seq.)

Information about registered sex offenders in California and how to protect your families can be found on the California Department of Justice's website at <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

Liability of Parent/Guardian for Willful Student Misconduct

(EC § 48904)

The parent or guardian of any minor may be held financially liable for the minor's willful misconduct which results in injury or death to any student or person employed or volunteering for CVESD or injury to real or personal property belonging to CVESD or a CVESD employee. The parent or guardian of a minor shall be liable to CVESD for all property belonging to CVESD loaned to the minor and not returned upon demand of an employee of CVESD authorized to make the demand. CVESD shall notify the parent or guardian of the minor in writing of the minor's alleged misconduct before withholding the minor student's grades, diploma, or transcript.

School Visiting Procedures

(EC § 51101(a)(12); PC §§ 627 et seq.; BP/AR 1250)

State law prohibits any outsiders from entering or remaining on school grounds during school hours without having registered with the principal or designee, except to proceed expeditiously to the office of the principal or designee for the purpose of registering. Penal Code section 627.6 requires schools to post at every entrance a notice of visitor registration requirements, registration hours, registration location, and penalties for the violation of the registration requirements.

The District's policy concerning school visiting procedures are set forth in BP/AR 1250 and may be found online via the following link: [BP/AR1250](#)

Walking or Riding a Bike to School
(VC § 21212)

The District requests that parents or guardians of children who walk or ride their bike to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. Furthermore, a student under 18 years of age may be fined for not wearing a properly fitted and fastened helmet while riding a bike, and the parent or legal guardian of a minor who violates this law shall be jointly and severally liable with the minor for the fine.

Cyber Sexual Bullying
(EC § 234.2)

As described in the Student Discipline section of this Notice, the District may suspend or expel students who engage in cyber sexual bullying consistent with the District's disciplinary procedures described above. The CDE has developed information regarding cyber sexual bullying available at <http://www.cde.ca.gov/ls/ss/se/bullyingprev.asp> and available on the California Healthy Kids Resource Center Website and other sources.

MISCELLANEOUS

SARC

(EC §§ 35256, 35258)

The SARC provides parents and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the SARC for each District operated school can be found on each individual school's website and the District's website. A hard copy will also be provided upon request to any student's parent or guardian. Contact your school or call the CVESD Office at (619) 425-9600 Ext.181328.

Investing for Future Education

(EC § 48980(d))

The District advises parents/guardians of the importance of investing for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

Acceptable Use of Technology

(BP/AR 6162.7)

The District's policy on the acceptable use of technology outlines the expectations and rules governing student use of District technology and online/data communication networks. Before a student is authorized to use District technology, the student and the student's parent must sign and return the Student Internet Use Guidelines/Agreement which can be accessed on the District's website or using the following link: [BP/AR 6162.7](#)

Custody Issues

The District will collaborate with families to help facilitate the compliance with any custody orders that relate to their child's educational program. However, schools are not a forum to settle custody disputes – custody disputes must be handled by a court of law. The District may not limit a biological parent's access to his or her child and/or the child's school records unless a court order (e.g., custody order, restraining order, divorce order) specifically setting forth limitations is on file at the school office.

Search of School Lockers

(BP/AR 5145.12)

The District authorizes school officials to conduct a search of any student, his or her property, or District property under his or her control when there are reasonable grounds or suspicion that the search will uncover evidence that the student is violating the law or the rules of the District or the school. The District's policies and procedures related to the search and seizure of students and/or their property are set forth in BP/AR 5145.12, which may be accessed on the District's website.

Illegal Recording of Confidential Communication

(PC § 632; EC § 51512)

It is unlawful to intentionally eavesdrop upon or record the confidential communication between two or more parties without the consent of all parties to the confidential communication. The eavesdropping upon or recording of a confidential communication includes by means of any electronic amplifying or recording device whether the communication is carried on among the parties in the presence of one another or by means of a telegraph, telephone, or other device, except a radio. Such an act is punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or imprisonment in the county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.

Additionally, pursuant to Education Code section 51512, the use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal is prohibited. Any person, other than the student, who willfully violates this prohibition shall be guilty of a misdemeanor. Any student who violates this prohibition is subject to CVESD's disciplinary procedures.

Student Fees, Charges, Donations, Fundraising, and Debt Collection

(EC § 49010 et seq.; BP/AR 3260)

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

As necessary, the District may approve fees, deposits, and other charges which are specifically authorized by law. When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the District shall consider relevant data, including the socioeconomic conditions of students' families and their ability to pay.

Examples of permissible fees include:

1. Reimbursement for the direct cost of materials that the student has used to create something for their own possession and use (EC § 17551).
2. Charge for damaged school property, or for failure to return school property on loan to the student (EC §§ 19911, 48904).
3. Charge for safety glasses for specified courses or activities that are likely to cause injury to the eyes (EC § 32033).
4. Deposit for band instruments, music, uniforms, and other regalia for use on an excursion to a foreign country (EC § 38120).
5. Fees associated with field trips and excursions (*e.g.*, direct transportation costs or admission/entry fees), as long as no student is denied the opportunity to participate because of lack of sufficient funds (EC § 35330).
6. Medical or hospital insurance for field trips that is made available by the District (EC § 35331).
7. Medical/accident insurance for athletic team members, so long as there is a waiver for financial hardship (EC §§ 32220- 32224).
8. Parking of vehicles on school grounds (VC § 21113).
9. Fees for community classes, not to exceed the cost of maintaining them (EC §§ 51810, 51815).
10. Fee for the actual cost of duplicating public records, student records, or a prospectus of the school curriculum (EC §§ 49063, 49091.14).
11. Food served to students, subject to free and reduced-price meal program eligibility and other restrictions specified in law (EC § 38084).
12. Fees for childcare and development services (EC § 8263).
13. Fees for adult education classes, materials and textbooks, or a refundable deposit on loaned books (EC §§ 52612, 60410).
14. Tuition fees charged to students whose parents are actual and legal residents of an adjacent country or an adjacent state (EC §§ 48050, 48052).

Examples of impermissible fees include:

1. Necessary supplies/items needed by the student to participate in regular classwork (*e.g.*, drawing paper, pens, crayons, lead pencils, P.E. uniforms).
2. Charge for textbooks or workbooks.
3. A tuition fee or charge as a condition of enrollment in any class or course of instruction, a registration fee, a fee for a catalog of courses, a fee for an examination in a subject, a late registration or program change fee, a fee for the issuance of a diploma or certificate, or a charge for lodging.
4. Tuition for summer school.
5. A deposit to guarantee that the school would be reimbursed for loss to the District because of breakage, damage

- to, or loss of school property.
- 6. Membership fees in a student body or student organization as a condition for enrollment or participation in athletic or other curricular or extracurricular school-sponsored activities.
- 7. Caps and gowns for students to participate in a graduation ceremony unless a student opts to purchase them to keep.

The District will recover any debt owed as a result of unpaid fees lawfully imposed by the Board, but will not bill a current or former student for accumulated debt, nor take negative action (*e.g.*, limiting or denying participation in any classroom activity, extracurricular activity, field trip, or ceremony; denying or withholding grades or transcripts) against a student or former student because of such debt. The District may withhold grades or transcripts only for debt owed as a result of vandalism or loss of District property loaned to the student. Before pursuing payment of any debt that has accumulated from unpaid permissible fees, the District will provide an itemized invoice, referencing applicable District policies, for any amount owed by the parent on behalf of a student or former student. For each payment received, a receipt will be provided to the parent. The District will not sell debt owed by a parent.

The District, its schools and programs may solicit voluntary donations or participate in fundraising activities. However, the District will not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. It also will not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

Any complaints of unlawful imposition of fees, deposits, or other charges will be investigated and resolved through the District's UCP. If, upon investigation, the District finds merit in the complaint, the Superintendent or designee will recommend, and the Board will adopt, an appropriate remedy to be provided to all affected students and parents in accordance with 5 C.C.R. § 4600.

Rights of Parents or Guardians to Information (*EC § 51101; BP/AR 5020*)

Parents/guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time after making the request, to observe the classroom or classrooms in which their child is enrolled or for the purpose of selecting the school in which their child will attend pursuant to intradistrict or interdistrict student attendance policies or programs.
2. Within a reasonable time of their request, to meet with their child's teacher or teachers and the principal of the school in which their child is enrolled.
3. To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests.
6. To request a particular school for their child, and to receive a response from the school district. This paragraph does not obligate the school district to grant the parent's request.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of the class or classes in which their child is enrolled.
9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
10. To have access to the school records of their child.

11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
14. To participate as a member of a parent advisory committee, school-site council, or site-based management leadership team, in accordance with any rules and regulations governing membership in these organizations. In order to facilitate parental participation, school-site councils are encouraged to schedule a biannual open forum for the purpose of informing parents about current school issues and activities and answering parents' questions. The meetings should be scheduled on weekends, and prior notice should be provided to parents.
15. To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
16. To be notified, as early in the school year as practicable pursuant to EC 48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

Parents and guardians of students, including those parents and guardians whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. Each governing board of a school district shall develop jointly with parents and guardians, and shall adopt, a policy that outlines the manner in which parents or guardians of students, school staff, and students may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of students at each school-site. Please refer to District BP and AR 5020 for the District's policy regarding the rights and responsibilities of parents and guardians pursuant to this section.

Electronic Products or Services that Disseminate Advertising

(EC § 35182.5)

If the District enters into a contract for electronic products or services that requires the dissemination of advertising to students, the District must, among other requirements, provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

Information About Completion of Applications for Student Financial Aid

(EC § 51225.8)

Commencing with the 2021-22 school year, the governing board of school districts and charter schools must ensure that each student, at least once before the student enters grade 12, receives information on how to properly complete and submit either the Free Application for Federal Student Aid (FAFSA) or California Dream Act application. A paper copy of the FAFSA or the California Dream Act application must be provided to a student or parent/guardian upon request.

The information provided to students shall include, but not necessarily be limited to, the following materials:

1. The types of documentation and personal information that each student financial aid application requires, including, but not necessarily limited to, documents relating to income taxes, finances and income, college choices, academic status, and personal identification such as social security or taxpayer identification numbers.
2. An explanation of definitions used for each application, such as "legal guardianship," "household size," "parent," "dependent," and "taxable college grants and scholarships."
3. Eligibility requirements for student financial aid that may be applied for using the FAFSA or the California Dream Act Application.
4. Application timelines and submission deadlines.
5. The importance of submitting applications early, especially when student financial aid is awarded on a first-come, first-served basis.

The manner in which the information above is provided shall be at the discretion of the governing board of the school district or charter school.

School Start Time for Middle and High Schools

(EC § 46148)

Pursuant to state law, the school day for middle and high schools must begin no earlier than 8:00 a.m. and 8:30 a.m., respectively. This start time requirement does not apply to rural school districts.

Electronic Signaling Device

(EC § 48901.5)

The District's policy regulating the rights of students to possess or use electronic signaling devices (e.g., cell phones and pagers) on school campuses during the school day or at school activities is set forth in BP 5131, which can be found online on the District's website or using the following link: [BP 5131](#)

Use of Mobile Communication Devices

(EC § 48901.7; BP 5131.8)

In accordance with California's Phone-Free School Act (AB 3216), the District has adopted a policy prohibiting the use of mobile phones by students, in all grades TK-6, at school during regular school hours, as indicated by each school's adopted bell schedule. Phones must be turned off during the instructional program and kept out of sight, such as in a student's backpack. The goal of this policy is to promote evidence-based practices that support student learning and well-being.

However, the District may not prohibit students from possessing or using a smartphone at school in the following situations:

1. During an emergency situation or as a response to a perceived threat of danger;
2. When a teacher or administrator gives permission to a student to possess or use a cell phone, subject to reasonable limitations imposed by the person giving permission;
3. When necessary for the health or well-being of a student, as determined by a licensed physician and surgeon; and
4. When possession or use of the cell phone is required pursuant to a student's individualized education program.

Enforcement of this policy will utilize positive behavior interventions and supports, such as verbal reminders, and violations of this policy may result in confiscation of the mobile device until the end of the school day and/or discipline. The District is not responsible for the loss, theft, or damage of a student's mobile communication device that is brought onto school grounds or to a school activity.

**ANNUAL NOTIFICATION TO PARENTS/GUARDIANS
APPENDIX A**

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

**Uniform Complaint Procedures (UCP) Annual Notice
2026-2027**

UNIFORM COMPLAINT PROCEDURES

CVESD annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process. The UCP Annual Notice is available on our website.

We are primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

Programs and Activities Subject to the UCP

- Accommodations for Pregnant and Parenting Pupils, Adult Education, After School Education and Safety, Agricultural Career Technical Education, Career Technical and Technical Education and Career Technical and Technical Training Programs, Child Care and Development Programs, Compensatory Education, Consolidated Categorical Aid Programs, Course Periods without Educational Content.
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.
- Every Student Succeeds Act, Local Control and Accountability Plans (LCAP), Migrant Education, Physical Education Instructional Minutes, Pupil Fees, Reasonable Accommodations to a Lactating Pupil, Regional Occupational Centers and Programs, School Plans for Student Achievement, School Site Councils, State Preschool, State Preschool Health and Safety Issues in LEAs Exempt from Licensing.
- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

The program and activities subject to the UCP in which CVESD operate are:

Accommodations for pregnant and parenting pupils, after school education and safety, Compensatory Education, Consolidated Categorical Aid Programs, Every Student Succeeds Act, Local Control and Accountability Plans (LCAP), Physical Education instructional minutes, Reasonable Accommodations to a Lactating Pupil, School Plans for Student Achievement, School Site Councils, State Preschool, State Preschool Health and Safety Issues in LEAs Exempt from Licensing, and any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

Filing a UCP Complaint

A UCP complaint 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 our agency.

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.

Contact Information

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

Name: Sharon Casey

Title: Assistant Superintendent of Student Services, Title IX Compliance Officer/504 Coordinator Address: 84 East J Street

Phone: 619-425-9600

Electronic mail address: sharon.casey@cvesd.org

Name: Angela Rosendale

Title: Acting Assistant Superintendent of Human Resources, Equity Compliance Officer/Title IX Coordinator Address: 84 East J Street

Phone: 619-425-9600

Electronic mail address: angela.rosendale@cvesd.org

The above contacts are knowledgeable about the laws and programs that they are assigned to investigate in CVESD. Responsibilities of CVESD.

We shall 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, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.

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

We advise complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our UCP procedures shall be available free of charge.

For 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 in each school in our agency.

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

Community Relations

UNIFORM COMPLAINT PROCEDURES

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 District shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures. 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 shall use the uniform complaint procedures to investigate and resolve any complaint alleging unlawful 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, mental or physical disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristics identified in Education Code 200 and 220, Penal Code 422.55 and Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610).

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 1114 – District-Sponsored Social Media)
(cf. 4030 – Nondiscrimination in Employment)
(cf. 5131 – Conduct)
(cf. 5131.2– Bullying)
(cf. 5144 – Discipline)
(cf. 5144.1 Suspension and Expulsion, Due Process)
(cf. 5145.3 – Nondiscrimination-Harassment)(EEO, Title IX)
(cf. 5145.7 – Student Harassment)
(cf. 6145.2 – Athletic Competition)
(cf. 9000 – Role of the Board (Powers and Responsibilities)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Uniform complaint procedures shall also be used to address any complaint alleging the District's failure to comply with state and/or federal laws regarding adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child-care and development programs, the local control and accountability plan, accommodations for pregnant and parenting students, After School Education and Safety programs, agricultural career technical education, compensatory education, course periods without educational content, educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school now enrolled in a school district, students who are migratory, and students participating in a newcomer program. __ Every Student Succeeds Act, physical education instructional minutes, reasonable accommodations to a lactating student, regional occupational centers and programs, student fees, school plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding, school site councils as required for the consolidated application for specified federal and/or state categorical funding, 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.

(cf. 0420 – School Plans – Site Councils)

(cf. 0402.41 – Charter School Oversight)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 0460 – Local Control and Accountability Plan)

(cf. 1312 – Complaints Concerning the Schools)

(cf. 1312 E – Complaint Declaration Form)

(cf. 1312.1 – Complaints Concerning District Employees)

(cf. 3260 – Fees and Charges)

(cf. 3320 – Claims and Actions Against the District)

(cf. 5111.12 – Education for Homeless Children)

(cf. 5146 – Married/Pregnant/Parenting Students)

(cf. 5148 – Child Care)

(cf. 6142.7 – Physical Education)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 6171 – Title I Programs)

(cf. 6173.1 – Education for Foster Youth)

(cf. 6174 – Education for English Language Learners)

(cf. 9000 – Role of the Board (Powers and Responsibilities))

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 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. Such employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4131 – Professional Development)

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, and/or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

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 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.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

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.

(cf. 1100 – Communication with the Public)

(cf. 1340 – Access to District Records)

(cf. 3580 – District Records)

(cf. 4119.11 – Sexual Harassment)

(cf. 4119.23 – Unauthorized Release of Confidential, Privileged Information)

(cf. 5125 – Student Records; Confidentiality)

(cf. 5141.22 – Infectious Diseases)

(cf. 9011 – Disclosure of Confidential Privileged Information)

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:

Complaints related to insufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and misassignments shall be investigated pursuant to the District's *Williams* Uniform Complaint Procedures.

(cf. 1312.2 – Complaints Concerning Instructional Materials)

(cf. 1312.4 – Williams Uniform Complaint Procedures)

(cf. 6142.2 – AIDS Prevention Instruction)

Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

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)

(cf. 5141.4 – Child Abuse Prevention and Reporting)

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 5145.7 - Sexual Harassment.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 5145.7 – Sexual Harassment)

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.

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4218 – Termination of Employment)

Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205) Complaints concerning Special Education programs shall be addressed in accordance with the regulations and procedures developed jointly with the Special Education Local Plan Area.

(cf. 0430 – Comprehensive Local Plan for Special Education)

(cf. 6159 – Individualized Education Program)

(cf. 6159.1 – Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 – Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 Appointment of Surrogate Parent for Special Education Students)

(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.5 – Student Success Teams)

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)

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)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 3555 – Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-8490 Early Education Act
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 *Williams* uniform complaint procedures
41500-41513 Categorical education block grants
46015 Parental leave for students
48645.7 Juvenile court schools
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49490-49590 Child nutrition programs
49701 Provisions of the Interstate Compact on Education Opportunities for Military Children
51210 Course of study for grades 1-6
51222 Physical education
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52059.5 Statewide system of support
52060-52077 Local control and accountability plan
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52617 Adult schools
54000-54029 Educationally disadvantaged youth programs
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56865 Special Education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

3200-3205 Special education compliance complaints

4600-4687 Uniform complaint procedures and Williams complaints

4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

15580-15584 Child nutrition programs complaint procedures

PENAL CODE

422.55 Hate crime; definition

422.6 Crimes; harassment

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act (FERPA) of 1974

1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex

6301-6576 Title I Improving the Academic Achievement of the Disadvantaged

6601-6777 Title II preparing and recruiting high-quality teachers and principals

6801-7014 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283(g) Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973; Section 504

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

12101-12213 Americans with Disabilities Act

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Section 504; Designation of responsible employee and adoption of grievances procedures

106.1-106.82 Nondiscrimination on the basis of sex in education programs

106.30 Discrimination on the basis of sex in education programs and activities; definitions

106.44 Recipient's response to sexual harassment

106.45 Grievance process for formal complaints of sexual harassment

106.8 Designation of coordinator; dissemination of policy, and adoption of grievance procedures

110.25 Notification of nondiscrimination on the basis of age

99.1-99.67 Family Educational Rights and Privacy

Management Resources:

WEBSITES

CSBA: www.csba.org-

CDE: www.cde.ca.gov

U.S. Department of Education, Office for Civil Rights: www.ed.gov/about/offices/list/

CSBA District and County Office of Education Legal Services: legalservices.csba.org/

Student Privacy Policy Office: www2.ed.gov/about/offices/list/oepd/sppo/index.html

U.S. Department of Agriculture: www.fns.usda.gov/cacfp

California Department of Social Services: www.cdss.ca.gov/

U.S. Department of Justice: www.justice.gov/

California Civil Rights Department: civildrights.ca.gov/

PUBLICATIONS

California Department of Education Publication - Uniform Complaint Procedure 2021-22 Program Instrument

California Department of Education Publication - Sample UCP Board Policies and Procedures

U.S. DOE, Office for Civil Rights Publication - Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021

U.S. DOE, Office for Civil Rights Publication - Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021

U.S. DOE, Office for Civil Rights Publication - Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

U.S. DOJ Publication - Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 200

Policy

Adopted: 04/16/96

Revised: 01/18/11

Revised: 09/11/13

Revised: 07/09/14

Revised: 11/15/23

Revised: 02/21/24

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

Community Relations

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other Board Policies, the Uniform Complaint Procedure shall be used only to investigate and resolve complaints Board Policy 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

Compliance Officers

The District designates the following position, identified below, as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The position also serves as the compliance officer(s) specified in AR 5145.3 – Nondiscrimination-Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

Title: Assistant Superintendent of Student Services
Title IX Compliance Officer/504 Coordinator

Assistant Superintendent of Human Resources
Equity Compliance Officer/Title IX Coordinator

Chula Vista Elementary School District
84 East "J" Street
Chula Vista, CA 91910
(619) 425-9600

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

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

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

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the

Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the District issues its investigation report whichever occurs first.

Notifications

The District's Uniform Complaint Procedures Policy and Administrative Regulation shall be posted in all District schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular District school speak a single primary language other than English, the District's Policy, Regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

In addition, the Superintendent or/designee shall annually provide written notification of the District's Uniform Complaint Procedure to students, employees, parents/guardians of District students, district advisory committee members, school advisory committees members, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

The notice shall:

1. Identify the title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate.
2. Advise the complainant of any civil law remedies including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable.
3. Advise the complainant of the appeal process_for programs within the scope of the UCP as specified in the accompanying Board policy; the complainant has a right to appeal the District's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the District's investigation report, within 30 calendar days of receiving the District's decision.
4. Include statements that:

The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the accompanying Board policy.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

- a. The complaint will be investigated in accordance with the District's UCP and an investigation report will be sent to the complainant within 60 days from the date of receipt of the complaint, unless the complainant agrees in writing to an extension of the timeline.
- b. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
- c. A UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred.
- d. A student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities.
- e. A complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.
- f. The District will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the District, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process.
- g. Copies of the District's Uniform Complaint Procedure are available free of charge.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the District and District school web sites and may be provided through District-supported social media, if available.

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

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

Procedures

Investigations of discrimination complaints shall be conducted in a manner such that the complainants are protected from retaliation and that the identity of a complainant alleging unlawful discrimination, harassment, intimidation or bullying will remain confidential as appropriate. (5 CCR 4621).

When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality to the extent appropriate and permitted by law, the District shall nevertheless take all reasonable and appropriate steps to investigate and resolve/respond to the complaint consistent with the request.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of the District's alleged noncompliance with federal or state laws or regulations governing the programs specified in BP 1312.3 (5 CCR 4630)

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

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

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination or by a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality to the extent permitted by law, the District shall take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

A complaint alleging noncompliance with the law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. (Education Code 49013)

A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)

Step 2: Mediation

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

The use of mediation shall not extend the District's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the District shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the District shall then continue with subsequent steps specified in this administrative regulation. (5 CCR 4631)

Step 3: Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

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

The compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

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

A complainant's refusal to provide the District's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the District shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Refusal by the District to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 4: Timeline for Investigation Report

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the District's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant, a written report, as described in Step 5 below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file a complaint in writing with the Board.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the District's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Step 5: Investigation Report

The District's investigation report shall be in writing and sent to the complainant. (5 CCR 4631)

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

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

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

3. Rationale for such disposition.
4. Corrective action(s) whenever the District finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600.
5. Notice of the complainant's right to appeal the District's investigation report within 15 calendar days to the CDE, except when the District has used the UCP to address a complaint not specified in 5 CCR 4610.
6. Procedures to be followed for initiating an appeal to CDE.

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

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

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigative report shall include a notice that the complainant may pursue available civil law remedies outside of the District's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3) The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3) Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

If the investigation of a complaint results in discipline to a student or an employee, the investigation report shall simply state that effective action was taken and that the student or employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.

Step 6: Corrective Actions

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

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

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

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

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

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

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

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

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

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

Appeal to the Governing Board

If a complainant is dissatisfied with the compliance officer's investigative report, within five days of receiving the report, a complaint in writing may be filed, with the Governing Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the investigation report of the compliance officer shall be the District's final written decision. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the District's initially receiving the complaint or within an extended time period that has been specified in a written agreement with the complainant.

Appeals to the CDE

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

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

The complainant shall specify the basis for the appeal as one of the following: the District failed to follow its complaint procedures; relative to the allegations of the complaint, the District's investigation report lacks material findings of fact necessary to reach a conclusion of law; the material findings of fact in the District's investigation report are not supported by substantial evidence; The legal conclusion in the District's investigation report is inconsistent with the law; or in a case in which the District found noncompliance, the corrective actions fail to provide a proper remedy. The appeal shall be accompanied by a copy of the original locally filed complaint and a copy of the District's investigation report for that complaint. (5 CCR 4632)

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

1. A copy of the original complaint.
2. A copy of the District's investigation report.
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator.
4. A report of any action taken to resolve the complaint.
5. A copy of the District's Uniform Complaint Procedure.
6. Other relevant information requested by the CDE.

The CDE may directly intervene in a complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists, including when the District has not taken action within 60 calendar days of the date the complaint was filed with the District. (5 CCR 4650)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

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

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the District has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)(1/06 3/12 1/13)

Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the District notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8212; 5 CCR 4691)

The District's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

Community Relations

UNIFORM COMPLAINT PROCEDURES (continued)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the District's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

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

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

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

Regulation

Reviewed: 10/20/92

Reviewed: 04/16/96

Reviewed: 12/11/13

Reviewed: 03/07/18

Reviewed: 11/15/23

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

**ANNUAL NOTIFICATION TO PARENTS/GUARDIANS
APPENDIX B**

BP 5145.7
Page 1 of 4

Students

SEXUAL HARASSMENT

The Chula Vista Elementary School District recognizes that harassment on the basis of sex is a violation of both federal and state anti-discrimination laws. The District expects that all students will have a learning environment free from sexual harassment or the threat of sexual harassment. Sexual harassment will not be tolerated toward students by students or by adults at school or during school-related, or school-sponsored activities.

Teachers shall inform students in age-appropriate ways of what sexual harassment is, that they do not have to endure it, and that it will not be tolerated. Teachers shall also inform students of the District's procedure for investigating complaints.

If any student perceives comments, gestures, or actions from any other student or adult during school-related or school-sponsored activities to be sexual harassment, the student may, but is not required to, inform directly the person engaging in such conduct that such conduct is offensive and must stop. If this approach is not taken and/or is not successful, the student should notify the classroom teacher and/or the school principal or any other available school employee. School staff who are aware, or who become aware, of sexual harassment or any allegations of sexual harassment shall inform the principal or a District Compliance Officer. The principal or a District Compliance Officer shall take immediate steps to investigate any complaints of sexual harassment in a manner that respects the privacy of all parties concerned to the extent practicable.

In any case of sexual harassment involving the principal to whom the complaint would ordinarily be made, the employee who receives the student's report or observes the incident shall instead report to the Superintendent or his/her designee.

No student, staff member, parent, or other individual will suffer reprisals for reporting incidents of sexual harassment or making complaints.

The Superintendent/designee shall take appropriate actions to reinforce the District's sexual harassment 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:

Students

SEXUAL HARASSMENT (continued)

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance.
3. Encouragement to report observed incidents of sexual harassment even where 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 prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students.
6. Information about the District's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the District investigation of a sexual harassment complaint continues.
8. A clear message that, when needed, the District will take interim 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 and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and

Students

SEXUAL HARASSMENT (continued)

resolved in accordance with law and District procedures specified in Administrative Regulation (AR) 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. [1312.3](#) - *Uniform Complaint Procedures*)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action.

Any student in Grades 4-12 found responsible for sexual harassment of anyone in or from the District will be subject to appropriate discipline as contained in the school's discipline policy. The severity of the disciplinary action will be based upon the circumstances of the infraction.

Confidentiality and Record-Keeping

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent action. (5 California Code of Regulations [CCR] 4964)

The Superintendent or his/her 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 the schools and during school-related activities.

Legal References:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination on the basis of sex
- 48900 Grounds for suspension or expulsion
- 48900.2 Additional grounds for suspension or expulsion; sexual harassment
- 48904 Liability of parent/guardian for willful student misconduct
- 48980 Notice at beginning of term

CIVIL CODE

- 51.9 Liability for sexual harassment; business, service and professional relationships
- 1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

- 12950.1 Sexual harassment training

Students

SEXUAL HARASSMENT (continued)

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oano by Kate S. v. McCafrey, (1998, 9th Cir.) 143 F. 3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

Adopted: 01/10/95

Revised: 04/05/11

Revised: 07/12/17

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

Students

SEXUAL HARASSMENT

The District designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under Administrative Regulation (AR) 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Title: Assistant Superintendent of Student Services
Title IX Compliance Officer/504 Coordinator
Sharon.Casey@cvesd.org

Assistant Superintendent of Human Resources
Equity Compliance Officer/Title IX Coordinator
Angela.Rosendale@cvesd.org

Chula Vista Elementary School District
84 East "J" Street
Chula Vista, CA 91910
(619) 425-9600

(cf. 1312.3 – Uniform Complaint Procedures)

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting or at a school-related activity, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

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

Students

SEXUAL HARASSMENT (continued)

Examples of types of conduct that are prohibited in the District and which may constitute sexual harassment include, but are not limited to:

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

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

Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the District's compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a District compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

Students

SEXUAL HARASSMENT (continued)

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

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the District's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and District procedures specified in AR 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

When a complainant or victim of sexual harassment notifies the District of the harassment but requests that the District not pursue an investigation, the District will determine whether or not it can honor such a request while still providing a

Students

SEXUAL HARASSMENT (continued)

safe and nondiscriminatory environment for all students and complying with all other applicable legal requirements.

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include, but are not necessarily limited to, placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

A copy of the District's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year. (Education Code 48980, 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of District rules, regulations, procedures, and standards of conduct are posted. (Education Code 231.5)
A copy of the District's sexual harassment policy and regulation shall be posted on District and school web sites and, when available, on District-supported social media.
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session. (Education Code 231.5)

Students

SEXUAL HARASSMENT (continued)

4. Appear in any school or District publication that sets forth the school's or District's comprehensive rules, regulations, procedures, and standards of conduct. (Education Code 231.5)

Regulation

Reviewed: 01/10/95

Reviewed: 03/08/11

Reviewed: 06/21/17

Reviewed: 01/17/24

Reviewed: 02/26/24 Chula Vista, California

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS

The Governing Board desires to provide options that meet students' diverse needs, potential, and interests. Enrollment options shall be reviewed annually by the Superintendent or designee with recommendations presented to the Board.

Transfer Between Schools Within the Chula Vista Elementary School District (Intradistrict Transfer)

Students who reside within District boundaries may apply for enrollment in any District school.

Transfers may be approved when there is classroom space available at the school of desired attendance.

Transfers are approved on a year-by-year basis with annual submittal required. It is the intent of the District to continue to provide space for transferred students and their siblings when an initial intradistrict transfer is approved.

Transportation is not provided for intradistrict transfer students unless required by law.

Transfer Between Districts (Interdistrict Transfer)

Parents/guardians must initiate an interdistrict transfer request at the school district of residence on the form provided by their district and submit it for approval by the Chula Vista Elementary School District at the District Office. Interdistrict transfer applications are approved in accordance with current legislation requirements and/or agreements with neighboring districts as long as terms and conditions are maintained.

Transportation is not provided for interdistrict transfer students.

Procedures for Handling Parent/Guardian Appeals When Transfer Requests are Denied

Parents/guardians may contact the Student Placement, Attendance & Records Research Office to explore options for student placement. The parent/guardian of a student who is denied an interdistrict transfer shall be notified in writing, given specific reasons for the denial, and informed of the appeal process which may be pursued.

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS (continued)

School of Choice

The Chula Vista Elementary School District strives to provide options for parent/guardian choice of school. Choices, however, are subject to space availability in the desired school. Whenever space is not available, every effort is made to assist families in locating appropriate placement.

Families who reside within the community served by a school have first priority to attend that school.

Legal Reference:

EDUCATION CODE

- 35160.5 District policies; rules and regulations
- 35291 Rules
- 35351 Assignment of students to particular schools
- 48980 Notice at beginning of term

Policy

Adopted: 11/13/90

Revised: 06/07/94

Revised: 01/18/11

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS

Enrollment Priorities

Parents/guardians may apply for intradistrict/zone transfers within the boundaries of the Chula Vista Elementary School District (CVESD).

Parent/guardians may apply for an interdistrict transfers from neighboring school districts when an Interdistrict Agreement with the district of residence is in place.

New transfer requests are considered when the needs of the attendance area students have been addressed and classroom space is determined to be available. Applications are processed based on the date of application.

Renewal transfer requests are considered annually based on space availability, and whether or not there are attendance and/or behavior issues.

Classroom space is prioritized in the following manner:

1. Attendance area students.
2. Renewal intradistrict/zone transfer students.*
3. New intradistrict/zone transfer students who have attended the last two consecutive school years at the requested school.
4. New intradistrict/zone transfer requests from staff.
5. Renewal interdistrict transfer requests from staff.*
6. New intradistrict/zone transfer requests of siblings of current students.
7. New intradistrict/zone transfers.
8. Renewal interdistrict transfer requests.*
9. New interdistrict transfer requests from staff.
10. New interdistrict transfer requests of siblings of current students.
11. New interdistrict transfer requests.

*When completed within the parameters set on the registration timeline.

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS (continued)

Priority of student placement will be given to intradistrict/zone applications submitted under state or federal mandates.

Transfer Procedures

1. Intradistrict/Zone Transfers

School of choice transfer information is sent to parents/guardians District-wide each February for the upcoming school year. Parents/guardians may apply throughout the current year for their children to attend a school other than the neighborhood school during that year. They may contact the neighborhood school for intradistrict/zone transfer applications. Completed intradistrict/zone transfer applications are forwarded by the neighborhood school to the District Office for processing. -

- Every effort is made to process new intradistrict/zone transfer applications received by May prior to the start of the new school year.
- Renewal intradistrict/zone transfer applications are mailed by the Student Placement Office in February for the upcoming school year. Applications must be returned to the school of attendance by the date indicated on the renewal instructions.
- Parents/guardians are notified by mail regarding the outcome of the transfer requests.
- Each school will maintain a wait list for intradistrict/zone transfer requests with names prioritized by date of application.

Intradistrict/Zone Transfer Denials

Intradistrict/Zone Transfers (new or renewal) may be denied or revoked based on any or all of the following circumstances:

- Lack of space or projected lack of space in the school of choice. The Student Placement Office may offer possible alternate placement options for denied transfers.
- Attendance issues, such as truancy, excessive absences and/or tardies.

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS (continued)

- Behavior issues such as noncompliance with authority, exhibiting dangerous, disruptive and/or disorderly behavior, negatively impacting the educational program for self and/or others.
- Failure to participate in the program for which the transfer was approved-

Students denied for these reasons will not be given placement on school wait lists.

Intradistrict/Zone Transfer students may be returned to their neighborhood school during the current school year based on a recommendation by the school administrator, and/or the School Attendance Review Team (SART), and/or the School Attendance Review Board (SARB) for the reasons stated above. The decision to revoke will be made by the Executive Director of Operations and Instruction, or designee.

2. Interdistrict Transfers

Families living in other school district boundary areas may apply for their students to attend CVESD with an Interdistrict Transfer application. This is a district-to-district application and students may be placed at school locations other than preferences listed.

- Interdistrict transfer applications are initiated at the school district of residence.
- Incoming interdistrict transfer applications, with signed authorization from the district of residence, must be submitted to the Student Placement Office for processing.
- Incoming interdistrict transfer applications for the upcoming school year are accepted on or after the first Monday in May, as long as the Interdistrict Agreement with the district of residence is in place.
 - Every effort is made to process new interdistrict transfer applications received on or after the first Monday in May prior to the start of the new school year.

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS (continued)

- Parents/guardians need to enroll their children in the neighborhood school while the interdistrict transfer application is being processed.
- Interdistrict Transfer applications are approved by the Executive Director of Operations and Instruction, or designee.
- Parents/guardians are notified by mail regarding the outcome of the transfer request.
- No wait list is maintained for interdistrict transfer applications.

Interdistrict Transfer Denials

Interdistrict Transfers (new or renewal) may be denied or revoked based on the following circumstances:

- Lack of space or projected lack of space in the school of choice. The Student Placement Office may offer possible alternate placement options for denied transfers.
- Attendance issues, such as truancy, excessive absences and/or tardies.
- Behavior issues such as noncompliance with authority, exhibiting dangerous, disruptive and/or disorderly behavior, negatively impacting the educational program for self and/or others.
- Failure to participate in the program for which the transfer was approved.

Interdistrict Transfer students may be returned to their district of residence during the current school year based on a recommendation by the school administrator, and/or the School Attendance Review Team (SART), and/or the School Attendance Review Board (SARB) for the reasons stated above. The decision to revoke will be made by the Executive Director of Operations and Instruction, or designee.

Students

TRANSFER BETWEEN SCHOOLS AND BETWEEN SCHOOL DISTRICTS (continued)

Appeals Process

Denied interdistrict transfer applications may be appealed in the following manner:

- Request for appeal must be submitted in writing to the Student Placement Office Manager within thirty days of the denial date.
- The Executive Director of Operations and Instruction, or designee, will review the appeal and issue a final decision on behalf of CVESD within thirty days of receipt of the written request.
- The student is to attend the district of residence while the appeal is being processed.
- Any further request for appeal should be directed to the San Diego County Office of Education, Student Support Services.

Transportation

Transportation is not provided for intradistrict/zone transfer students unless mandated by state or federal law.

Transportation is not provided for interdistrict transfer students.

Regulation

Reviewed: 05/17/94

Reviewed: 01/18/11

Reviewed: 02/17/16

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California

ANNUAL NOTIFICATION TO PARENTS/GUARDIANS
APPENDIX D
NOTIFICATION OF USE OF PESTICIDE/HERBICIDE PRODUCTS

Dear Parent or Guardian:

The California Education Code § 48980.3 requires all California school districts to notify parents and guardians of pesticides/herbicides they expect to apply during the year. We may use the following pesticides/herbicides this school year:

NAME OF PESTICIDE/HERBICIDE	ACTIVE INGREDIENTS
ACECAP 97 SYSTEMIC INSECTICIDE IMPLANTS	ACEPHATE (0,5 –DIMETHYL ACETYL–PHOSPHORAMIDOTHIOATE) 97% INERT INGREDIENTS 3%
BONIDE EIGHT/INSECT CONTROL (VEGETABLE, FRUIT AND FLOWER)	2.5% PERMETHRIN, 97.5% AQUEOUS/EMULSION DILUENT
BRANDT HERBICID ACTIVATOR	PARAFFINIC PRETROLEUM OIL 80% ALCOHOL ETHOXYLATE 20%
CONTRACT ALL WEATHER BLOX (RAT BAITS)	BROMADIOLONE (CAS #28772-56-7), 0.005% OTHER 99.995% –CONTAINS DENATONIUM BENZOATE TOTAL 100.000%
DACONIL /FUNGICIDE	54% CHLOROTHALONIL (TETRACHLOROISOPHTHALONITRILE), 46% INERT INGREDIENTS
DRAGNET/TERMITICIDE INSECTICIDE	36.8% PERMETHRIN, 63.2% OTHER
GRASS GETTER POSTEMERGENCE/GRASS HERBICIDE	SETHOXYDIM 18%:2-[1-(ETHOXYMINO) BUTYL] -5-[2-(ETHYLTHIO) PROPYL] -3-HYDROXY-2-CYCLOHEXEN-1-ONE, 82% OTHER
MAGNIFY	ALKYL POLYGLYCOSIDE AMMONIUM SULFATE 51.15% SPRAY ADJUVANT 48.85 %
MALATHION 8/AQUAMUL	81.8% MALATHION (0,0-DIMETHYLPHOSPHORODITHIOATE OF DIETHYL MERCAPTOSUCCIANE), 18.2 % OTHER
MAXFORCE/ANT BAIT STATION	% BY WEIGHT 0.0100 FIPRONIL
MAXFORCE/ROACH BAIT STATION	% BY WEIGHT 0.0500 FIPRONIL
MONTEREY GARDEN/INSECT CONTROL (ONCE A YEAR)	1.47% IMIDACLOPRID 1-[(6-CHLORO-3-PYRIDINYL) METHYL]-N-NITRO-2-IMIDAZOLIDINIMINE
MONTERREY HORTICULTURAL OIL	MINERAL OIL 80%, OTHER 20%, TOTAL 100%
ONE SHOT	2,4-D(CAS 94-75-7) 0.64%, MECOPROP-P (CAS 16484-77-8) 0.14%, DICAMBA (CAS 1918-00-9) 0.06%, DITHIPIR (CAS 97886-45-8) 0.19%, OTHER INGREDIENTS 98.97%, TOTAL 100%
ORYZALIN 4 PRO	3,5 DINITRO-N4N4-DIPROPYLSUFANILAMIDE 41% OTHER INERT INGREDIENTS 59.0%
OXADIAZON 2 G/PREEMERGENT HERBICIDE (RONSTAR G)	2% OXADIAZON [2 TERT-BUTYL-4-(2, 4 DICHLORO-5-ISOPROPOXYPHENYL)-2-1, 3-4-OXADIAZOLINE-5-ONE]:98% OTHER
PHANTOM/TERMITICIDE - INSECTICIDE	21.45% CHLORFENAPYR: 4 - BROMO - 2 - (4- CHLOROPHENYL) - 1- (ETHOXYMETHYL) - 5 - (TRIFLUOROMETHYL) – 1 H- PYROLE -3- CARBONITRILE 78.55% OTHER
PREMISE 2 INSECTICIDE	IMIDACLOPRID, 1-[(6-CHLORO-3-PYRIDINYL)METHYL]-N-NITRO-2-IMIDAZOLIDINIMINE 21.4%, INERT INGREDIENTS, 78.6% TOTAL:100%
PREMISE FOAM	0.05% IMIDACLOPRID: [1-(6-CHLORO -3- PYRIDINYL) METHYL] N-NITRO -2-IMIDAZOCIDINMINE, OTHER 99.95%
RANGER PRO	GLYPHOSATE 41% OTHER 59 %
RESCUE YELLOW JACKET ATTRACTANT	2-METHYL-1-BUTANOL 59.75% NET WT. OTHER 40.25%, TOTAL: 100%
REWARD HERBICIDE	DIQUAT DIBROMIDE [6.7 DIHYDRODIPYRIDO (1, 2-9:1'-2'C) PYRAZINEDIUM DIBROMIDE] 37.3%
RONSTAR G	OXADIAZON [2-TERT-BUTYL-4-(2,4-DICHLORO-5-ISOPROPOXYPHENYL) 1,3,4-OXADIAZOLIN - 5-ONE] 2.0%, INERT INGREDIENTS 98.0% TOTAL 100%
SEDGE HAMMER/HERBICIDE	75% HALOSULFURON METHYL, 25% OTHER
SEVIN INSECT KILLER CONCENTRATE	ZETA-CYPERMETHRIN 0.35% OTHER 99.65%
SLUGGO SNAIL SLUG BAIT	IRON PHOSPHATE 1.0%, OTHER INGREDIENT 99.0%, TOTAL: 100%
SPECTRACIDE PRO WASP AND HORNET KILLER	PRALLETHRIN 0.025% LAMBDA-CYHALOTHRIN - 0.010%
SPEEDZONE	CARFENTHAZONE –ETHYL 0.54%, 2,4 –D, 2-ETHYLHEXYL ESTER 10.49%, MECOPROP-P ACID 2.66%, DICAMBA ACID 0.67%, INERT INGREDIENTS 86.64%
SURFLAN AS HERBICIDE	40.4% ORYZALIN: 3.5 DINITRO- N4- N4 DIPROPYLSULFANILAMINE 59.6%
TEMPO SC ULTRA/INSECTICIDE	CYCLOPROPANECARBOXYLATE 11.8% OTHER 88.2%
TEMPO UTLRA WP	(8 CYFLUTHRIN CYANO, METHYL 3, DIMETHYLCYCLO) 20% OTHER 80%
TEMPO 20 WP	(8 CYFLUTHRIN CYANO, METHYL 3, DIMETHYLCYCLO) 20%, OTHER 80%
TENGARD	PERMETHRIN 36.8% OTHER INGREDIENTS 63.2%
TERMIDOR SC/TERMICIDE – INSECTICIDE	9.1% FIPRONIL: 5 - AMINO -1 (2, 6 -DICHLORO - 4 - (TRIFLUOROMETHYL) PHENYL - 4 - (1,R,S) - (TRIFLUOROMETHYL) SULFINYL) – 1-H - PYRAZOLE - 3 - CARBONITRILE - 90.9 % INERT INGREDIENTS
TERRO – PCO/LIQUID ANT BAIT	5.4% SODIUM TERTABORATE DECAHYDRATE (BORAX)
TREFLON EC	TRIFLURALIN 43% INERT INGREDIENTS 58%

TRI TEK	80 % MINERAL OIL 20% OTHER
TURFLON ESTER/HERBICIDE	61.1 % TRICLOPYR 3,5,6 – TRICHLORO-2-PYRIDINYLOXYACETICE ACID BUTOXETHYL ESTER 38.4 % OTHER
WASP FREEZE II	PRALLETHRIN [(RS)-2-METHYL-4-OXO-3-(2-PROPYNYL), CYCLOPENT-2-ENYL-(IRS)- CIS, TRANS-CHIRYSANTEMATE] 0.1%, OTHER 99.9%, TOTAL: 100%

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's Web site at <http://www.cdpr.ca.gov>

As parent or guardian, you have the right to request a 72-hour notification prior to application. Signs are required to be posted 24 hours prior to pesticide applications and will remain on site until 72 hours after application.

If you wish to be notified, please complete the bottom portion of this letter and **return to your child's school**. The District Grounds Manager will notify the school of exact date and time prior to each application of pesticides/herbicides. At that time, if you are registered to receive notification, the school will call or send a note home. No regular spraying schedule is followed. Spraying is only done when absolutely necessary.

A copy of the Healthy Schools Act of 2000, Material Safety Data Sheets, and sample copies of notification letters are available at each school site.

✂ _____ ✂ _____ ✂ _____
ONLY IF YOU WISH TO BE NOTIFIED OF PESTICIDE/HERBICIDE APPLICATION
RETURN SLIP TO YOUR SCHOOL SITE

Child's Name: _____ Room #: _____ E-mail: _____

Parent's Name: _____ Phone: _____

It is the responsibility of the parent/guardian to keep current phone number & address on file at school site.

NOTIFICATION OF PESTICIDE PRODUCTS

Information Sheet for Parents Regarding AB 2260, the Healthy Schools Act of 2000, which enacted California Education Code § 48980.3.

In September 2000, Governor Davis signed into law the Healthy Schools Act of 2000 (Assembly Bill 2260). This law requires schools to notify parents and school employees about pesticides used in their schools and requires the Department of Pesticide Regulation to promote the voluntary adoption of integrated pest management (IPM) practices in California schools. Most provisions of the law took effect January 1, 2001. Each school district is to implement the following requirements of the law:

- Notification of all pesticide products the school district expects to use on school grounds must be sent annually to parents or guardians of all students. These products include over-the-counter pesticides available at retail outlets, but do not include certain products exempted under the law. The notifications must list the active ingredients in each pesticide product and the Internet address for the Department of Pesticide Regulation (DPR) to access additional information. Visit DPR's website at <https://www.cdpr.ca.gov/> and click on School IPM Program.
- Each school will establish a list of parents or guardians who want to be notified before individual pesticide applications are made.
- Each school district will ensure that warning notices are posted in areas where pesticides will be applied. These signs will be posted 24 hours in advance and 72 hours after application of pesticides and will contain information as specified in the law.
- Each school will maintain records of all pesticide use at the school for four years and the records will be available to the public upon request.

For more information, contact the District Grounds Manager (619) 425-9600, extension 181424.

BLACK WIDOW SPIDER INFORMATION

The Chula Vista Elementary School District encourages you to speak with your child about avoiding contact with black widow spiders both at home and on school sites.

Black Widow

The adult female Black Widow spider has a shiny, black, round abdomen with two connected red triangles on the underside that form an hourglass figure. Adult females are about ½ inch long, not including the legs. Adult male Black Widow spiders are harmless, and about half the size of females. The male's abdomen usually has red spots and white lines or bars.

How to avoid spider bites

- Wear shoes outdoors.
- Do not put your hands in holes, under furniture and in woodpiles where you cannot see them.
- Shake out clothing, towels, shoes, gloves and boots before each use.
- Use caution when using outdoor toilets, as they are favorite places for spider to hide.

Symptoms of a Black Widow spider bite

The initial pain from a spider bite can cause an intense and burning sensation. Common symptoms include:

- Sweating
- Nausea
- Rapid heartbeat
- Muscle spasms
- Blurred vision
- Trouble Breathing and swallowing

Children under the age of 6, people over the age of 60, and people at risk for cardiovascular disease are at risk of having problems from a poisonous spider bite. Some people may also have allergic reactions that can cause circulatory failure. To see if they are going to have an allergic reaction, they may be kept under observation for 24 hours.

For more information on spiders or other vectors contact: (858) 694-2888 or vector@sdcounty.ca.gov.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
84 EAST J STREET • CHULA VISTA, CALIFORNIA 91910 • 619 425-9600 EACH

CHILD IS AN INDIVIDUAL OF GREAT WORTH

Annual Notice of Physical Education Requirements

Chula Vista Elementary School District focuses on providing the highest quality educational experience for all students. Included in that is a high quality physical education (P.E.) program in our schools. As per California Education Code Section 51210(a)(7), first through sixth grade teachers are required to teach 200 minutes of physical education over 10 instructional days, excluding recesses and the lunch period. It is at the discretion of the school as to how and when these minutes are distributed over this time frame. We are providing this notice to inform parents/guardians that, if they have questions regarding P.E. minutes, they should first contact their child's teacher or principal. If they are not satisfied with the school's response, they may contact the Office of the Executive Director of Curriculum and Instruction, at 619-425-9600 x181313. If there is an interest in filing a formal complaint with the District regarding P.E. minutes of instruction, parents are to use the CVESD UCP Form, which can be accessed by _____ going _____ to <https://resources.finalsite.net/images/v1761861326/cvesdorg/bqvlkpezgo7ufkiszmf/ComplaintDeclarationInformationPackage.pdf> You may also request a copy of this form in your school's main office.