NEWARK UNIFIED SCHOOL DISTRICT

2026-27 STUDENT & FAMILY HANDBOOK

SUPERINTENDENT'S LETTER

NEWARK UNIFIED SCHOOL DISTRICT

Dear Students and Families,

Welcome to the 2026-2027 school year! I am honored to serve the students, faculty, staff as your new Superintendent. Over the coming months, I am excited to learn from you about the Newark Unified School District community. I want to know why you choose NUSD, what you love about it, and what you want to change. You can learn more about me and ways to participate in my listening campaign on our website here

Each year we provide a Student & Family Handbook. This year, we are making this available digitally on our website: www.newarkunified.org/families-students/student-family-handbook, or by scanning the QR code to the right. This resource includes the most up to date procedures, policies, and expectations which will help support your student's educational goals.

Family Handbook

Additionally, there are three important paper forms that we need you to complete and return to your school site:

- Emergency contact:
- Education Benefits Form:
- 2026-27 Student and Parent/ Guardian Acknowledgment, Exclusion, Release Form

It takes a village to raise a child, and our village is only strong when our community works together. To succeed, we need all hands, heads, and hearts working toward the same goals. Please stay involved with your school community: come to school events, meet with your student's teachers, join your school site committee.

I'm looking forward to a great school year - and looking forward to meeting you.

Warm regards,

William Eger, EdD

Superintendent
Newark Unified School District

weger@newarkunified.org

5715 Musick Avenue Newark, CA 94560
(510) 818-4103
www.newarkunified.org

Board of Education
Nancy Thomas, President
Austin Block, Vice President & Clerk
Aiden Hill, Member
Katherine Jones, Member
Gabriel Anguiano Jr., Member

Superintendent of Schools
Dr. William Eger

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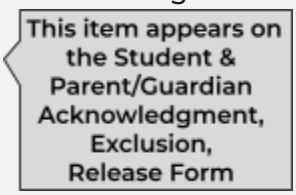
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A NOTE ON THIS HANDBOOK

The mandate to provide this handbook comes from California Education Code 48980-48985 Notification of Parent or Guardian. NUSD Board Policy and Exhibit 5145.6 Parental Notifications affirm NUSD's responsibility and commitment to providing the mandated notifications, following the established legal guidelines and NUSD practice:

- The notice must be sent at the beginning of each academic year.
- No activity specified in Education Code 48980 shall be undertaken concerning any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification.
- The annual notification shall include a request that the parent/guardian sign the notice and return it to the school as an acknowledgment of receipt of the information.
    - The box to the left appears next to any item that is referenced on the Acknowledgment, Exclusion, Release Form.



- Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law. (Educ. Code 48985)
- Whenever an employee learns that a student's parent/guardian is, for any reason, unable to understand the district's printed notifications, the principal or designee shall work with the parent/guardian to establish other appropriate means of communication.

Please contact the main office of your student's school for any help regarding this handbook.

QUICK REFERENCE

Contact Information

Site	Phone	Address	Website
Birch Grove Primary School Grades TK-2	(510) 818-3100	6071 Smith Ave. Newark, CA 94560	https://bgp.newarkunified.org/
Birch Grove Intermediate School Grades 3-5	(510) 818-3600	37490 Birch St. Newark, CA 94560	https://bgi.newarkunified.org/
Coyote Hills Elementary School Grades TK-5	(510) 818-3300	36270 Cherry St. Newark, CA 94560	https://coyotehills.newarkunified.org/
Kennedy Elementary School Grades TK-5	(510) 818-3400	35430 Blackburn Dr. Newark, CA 94560	https://kennedy.newarkunified.org/
Lincoln Elementary School Grades TK-5	(510) 818-3500	36111 Bettencourt St. Newark, CA 94560	https://lincoln.newarkunified.org/
Schilling Elementary School Grades TK-5	(510) 818-3800	36901 Spruce St. Newark, CA 94560	https://schilling.newarkunified.org/
Newark Middle School Grades 6-8	(510) 818-3000	6201 Lafayette Ave. Newark, CA 94560	https://njhs.newarkunified.org/
Newark Memorial High School Grades 9-12	(510) 818-4300	39375 Cedar Blvd. Newark, CA 94560	https://nmhs.newarkunified.org/
Bridgepoint High School Grades 10-12 Crossroads Independent Study Grades K-12 Newark Adult Education Center Grades 18+	(510) 818-3200 (510) 818-3200 (510) 818-3702	MacGregor Campus 35753 Cedar Blvd. Newark, CA 94560	https://bridgepoint.newarkunified.org/ https://crossroads.newarkunified.org/ https://ace.newarkunified.org/
District Office Superintendent's Office Educational Services Human Resources Business Services Special Education Information Technology	(510) 818-4103	5715 Musick Ave. Newark, CA 94560	https://www.newarkunified.org/
Child Care Administrative Office	(510) 818-4159	5715 Musick Ave. Newark, CA 94560	https://www.newarkunified.org/departments/child-care-center
Child Nutrition Services	(510) 818-4281	37370 Birch St. Bldg. A Newark, CA 94560	https://www.schoolnutritionandfitness.com/index.php?sid=1487973450928
Maintenance, Operations & Transportation	(510) 818-4271	37370 Birch St. Bldg. B Newark, CA 94560	https://www.newarkunified.org/departments/maintenance-operations-transportation

2026-27 School Year Important Dates

First Day of School

Thursday, August 6, 2026

Last Day of School

Wednesday, May 26, 2027

Schools Closed

September 7, 2026	Labor Day
October 9, 2026	Staff Development/Teacher Work Day
October 12, 2026	Indigenous Peoples' Day
November 11, 2026	Veterans Day
November 23-27, 2026	Thanksgiving Break
Dec. 21, 2026 - January 1, 2027	Winter Break
January 4, 2027	Staff Development/Teacher Work Day
January 18, 2027	Martin Luther King, Jr. Day
February 12, 2027	No School/Non Workday
February 15, 2027	Presidents' Day
March 4, 2027	Staff Development/Teacher Work Day
March 5, 2027	No School/Non Workday
April 5 - April 9, 2027	Spring Break
May 31, 2027	Memorial Day

Minimum Days*

August 6, 2026	District Wide Minimum Day
November 12, 16-19, 2026	TK-5 Conferences/Minimum Days
December 18, 2026	TK-8 Minimum Day
May 24-26, 2027	TK-8 Minimum Days

**Any additional minimum days will be announced at least one month in advance, per Educ. Code 48980*

Other Important Dates

October 8, 2026	End of 1st Quarter
December 18, 2026	End of 2nd Quarter/1st Semester
March 19, 2027	End of 3rd Quarter
May 26, 2027	End of 4th Quarter/2nd Semester
November 2, 2026	End of 1st Trimester
February 22, 2027	End of 2nd Trimester
May 26, 2027	End of 3rd Trimester
December 18, 2026	End of 1st Semester
May 26, 2027	End of 2nd Semester

Each school site will inform students and parents/guardians of regular and modified daily schedules.

Visit the School Calendar page at https://www.newarkunified.org/families-students/calendars to view the District's calendar or visit each school's website to see the events at each site.

2026-27 NUSD School Calendar

NEWARK UNIFIED SCHOOL DISTRICT

2026-2027 INSTRUCTIONAL CALENDAR

2026

M	T	W	TH	F	JULY	0
		1	2	3	3 Independence Day Holiday	
6	7	8	9	10		
13	14	15	16	17		
20	21	22	23	24		
27	28	29	30	31		

M	T	W	TH	F	AUGUST	18
					4 Staff Development Day	
3	4	5	6	7	5 TK-12 Teacher Work Day/No School	
10	11	12	13	14	6 First Day of School	
17	18	19	20	21	6 TK-12 Min. Day	
24	25	26	27	28		
31						

M	T	W	TH	F	SEPTEMBER	21
	1	2	3	4	7 Labor Day Holiday	
7	8	9	10	11	8 Kindergarten starts full day	
14	15	16	17	18		
21	22	23	24	25		
28	29	30				

M	T	W	TH	F	OCTOBER	20
			1	2		
5	6	7	8	9	9 TK-12 Staff Development	
12	13	14	15	16	12 - Indigenous Peoples Day/No School	
19	20	21	22	23		
26	27	28	29	30		

M	T	W	TH	F	NOVEMBER	15
2	3	4	5	6	2 TK-5 1st Trimester End	
9	10	11	12	13	11 Veterans Day Holiday	
16	17	18	19	20	12, 16-19 TK-5 Conferences/Min. Days	
23	24	25	26	27	26 Thanksgiving Holiday	
30					23-27 Thanksgiving Break	

M	T	W	TH	F	DECEMBER	14
	1	2	3	4	16-18 9-12 Finals Schedule	
7	8	9	10	11	18 TK-8 Min. Day	
14	15	16	17	18	18 6-12 1st Semester End	
21	22	23	24	25	21-31 Winter Break	
28	29	30	31		25 Christmas Day Holiday	

2027

M	T	W	TH	F	JANUARY	18
				1	1 New Year's Day Holiday	
4	5	6	7	8	4 PreK/TK-5 PD/6-12 Workday	
11	12	13	14	15	18 Martin Luther King Jr. Holiday	
18	19	20	21	22		
25	26	27	28	29		

M	T	W	TH	F	FEBRUARY	18
1	2	3	4	5	12 No School/Non Workday	
8	9	10	11	12	15 President's Holiday	
15	16	17	18	19	22 TK-5 2nd Trimester End	
22	23	24	25	26		

M	T	W	TH	F	MARCH	21
1	2	3	4	5	4 PreK/TK-5 Workday/6-12 PD	
8	9	10	11	12	5 No School/Non Workday	
15	16	17	18	19		
22	23	24	25	26		
29	30	31				

M	T	W	TH	F	APRIL	17
			1	2	5-9 Spring Break	
5	6	7	8	9		
12	13	14	15	16		
19	20	21	22	23		
26	27	28	29	30		

M	T	W	TH	F	MAY	18
3	4	5	6	7	24-26 TK-8 Min. Day	
10	11	12	13	14	26 TK-12 Last Day of School	
17	18	19	20	21	26 TK-12 2nd Semester/3rd Trimester Ends	
24	25	26	27	28	24-26 9-12 Finals Schedule	
31					31 Memorial Day Holiday	

M	T	W	TH	F	JUNE	0
	1	2	3	4		
7	8	9	10	11		
14	15	16	17	18	18 Juneteenth Holiday	
21	22	23	24	25		
28	29	30				

LEGEND

- Federal / State Holidays (No School)
- No School
- Staff Development Days / No School
- Parent Conferences
- Teacher Work Day
- First / Last Day
- Minimum Days

1st Quarter Ends	= 10/8
1st Trimester Ends	= 11/2
1st Semester Ends	= 12/18
2nd Trimester Ends	= 2/22
3rd Quarter Ends	= 3/19
3rd Trimester/2nd Semester Ends	= 5/26

ABOUT NEWARK UNIFIED SCHOOL DISTRICT

Mission Statement

The Newark Unified School District will inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens.

Vision Statement

The Newark Unified School District, in partnership with the community, will be a model of world-class education that develops the unique abilities of every student.

Newark Unified School District Board of Education

The Governing Board believes that public education is essential to a democracy. To have a populace that is literate, educated, and productive, there must be an ongoing partnership between parents/guardians, students, educators, and the community. The Board ensures that the district's philosophy, goals, and comprehensive plans are clearly articulated and regularly reviewed.
The Governing Board has been elected by the community to provide leadership and citizen oversight of the district. The Board shall ensure that the district is responsive to the values, beliefs, and priorities of the community. (NUSD BB 9000: Role Of The Board)

Strategic Imperatives

As part of ongoing strategic planning, the Newark Unified School District Board of Education developed the following strategic imperatives:

1. Newark Unified School District will provide academic excellence via equity and opportunities for all students.
2. Newark Unified School District will establish financial stability and fiscal solvency to drive continuous improvement.
3. Newark Unified School District will increase our enrollment.

The strategic imperatives guide the priorities of district leadership and are used as a framework for building Board of Education meeting agendas.

Guiding Documents for Newark Unified School District

As part of the Governing Board's responsibility to set the direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities. In developing goals and identifying strategies to achieve those goals, the Board and Superintendent shall solicit input and review from key stakeholders. (NUSD BP 0200: Goals For The School District)

Board Members

Five Newark citizens are elected to serve overlapping terms. They are elected at-large by the registered voters in Newark. The Board functions as the legislative body of the school district and establishes policies by which the school district is operated. Programs and policies are governed according to laws and regulations as set by the Constitution of the State of California, State Education Code, and California Administrative Code, Title 5. Board members can be contacted via email at board@newarkunified.org or mail addressed to them c/o NUSD Board of Education, 5715 Musick Ave., Newark, CA 94560.

Nancy Thomas	nancyt@newarkunified.org	Term Ends 12/2026
Aiden Hill	aidenh@newarkunified.org	Term Ends 12/2028
Katherine Jones	katherinej@newarkunified.org	Term Ends 12/2026
Gabriel Anguiano Jr.	gabriela@newarkunified.org	Term Ends 12/2028
Austin Block	austinb@newarkunified.org	Term Ends 12/2028

Meetings of the Board of Education

The Board holds regular meetings each month on Tuesdays at 7:00 p.m. Closed sessions begin between 5:00 and 7:00 p.m. Meeting agendas of the Board of Education are shared on the district website at www.newarkunified.org under the section “Board Agendas.” Agendas are posted 72 hours in advance of regular meetings, and at least 24 hours in advance of special meetings at the District Office and at www.boarddocs.com/ca/nusd/Board.nsf/Public. In-person meetings are open to the public and the location of the meeting is printed at the top of the agenda. Generally, meetings are held in the Newark City Council Chambers located at 37101 Newark Blvd., Newark, CA 94560.

Assistance to participate in Board meetings will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Accommodations must be requested at least 48 hours in advance of the meeting by contacting the Superintendent’s Office at (510) 818-4112.

Board Policies, Administrative Regulations, Exhibits, Board Bylaws

Board policies (abbreviated BP in references) are Board-adopted written policies that convey the Board’s expectations for actions that will be taken in the district, clarify the roles and responsibilities of the Board and Superintendent, and communicate Board philosophy and positions to the students, staff, parents/guardians, families, and the community. Board policies are binding on the district to the extent that they do not conflict with federal or state law, and are consistent with the district's collective bargaining agreements. (NUSD BB 9310: Board Policies)

Board policies may have attached Board-adopted Administrative Regulations (AR in references) which are developed under the supervision of the Superintendent required by law or Board policy or when Board endorsement of district procedures is desired.

Some policies also have Board-adopted exhibits (abbreviated E in references) that provide a sample document to accompany a policy.

Finally, the Board also has Board bylaws (abbreviated BB in references) that are Board-adopted rules to govern the internal operations of the Board.

All Board policies, administrative regulations, exhibits, and Board bylaws are posted at GAMUT Online.

Office of the Superintendent

The work of the Superintendent is focused on student learning and achievement, and the attainment of the district's vision and goals. As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage the instructional and non-instructional operations of the schools. The Superintendent also serves as a member of the district's governance team and has responsibilities to support Board operations and decision making. (NUSD BP 2110: Superintendent Responsibilities And Duties)

Dr. William Eger	Superintendent	(510) 818-4155

The Superintendent also leads NUSD in the implementation of Board directives and Board-adopted resolutions and guiding documents.

Local Control and Accountability Plan (LCAP)

California uses the Local Control Funding Formula (LCFF) to determine how schools are funded. Districts determine how to spend funds to best meet students' needs in consultation with their teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils. The final plan for achieving goals and spending funds is the Local Control and Accountability Plan (LCAP).

The district is required to adopt a three-year LCAP and to update the LCAP on or before July 1 of each subsequent year. The current LCAP covers the 2024-25, 2025-26, and 2026-27 school years; it can be found under the Local Control and Accountability Plan (LCAP) at https://www.newarkunified.org/departments/educational-services/lcap.

The LCAP is required to identify annual goals and specific actions geared toward implementing those goals and must measure progress for student subgroups across multiple performance indicators based on eight priorities set by the State. (Educ. Code 52060-52077)

The LCAP addresses the state priorities in Education Code 52060:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities
2. Implementation of and student access to state academic content and performance standards
3. Parent/Guardian involvement and participation
4. Improving student achievement and outcomes along multiple measures
5. Supporting student engagement
6. Highlighting school climate and connectedness
7. Ensuring all students have access to a broad course of study
8. Measuring other important student outcomes related to required areas of study

The actions specified in the LCAP are designed for the continuous improvement of district practices and to ensure the most effective use of available funding to improve outcomes for students with emphasis on those who are "unduplicated students" and other underperforming students. Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Educ. Code 42238.02)

The Board of Education establishes a parent advisory committee (PAC) to provide advice to the Board of Education and the Superintendent regarding the LCAP and solicit input from the District English Learner Advisory Committee (DELAC). PACs include parents of low-income students, English learner students, and foster youth. Let your site principal know if you would like to be part of this process.

The LCAP also incorporates the goals and actions from each Single Plan for Student Achievement to ensure that the plans and strategies in all plans are consistent. (Educ. Code 52062) The LCAP is also aligned with other district plans to the extent possible to minimize duplication of effort and provide clear direction for program implementation. (NUSD BP 0460 Local Control And Accountability Plan)

Single Plan for Student Achievement (SPSA)

The Single Plan for Student Achievement (SPSA) is a plan of action to improve student academic performance by coordinating all educational services and resources. Schools that receive state and federal funds are required to consolidate all school plans into an SPSA. (Educ. Code 64001)

See the current SPSA for each school under the Single Plan for Student Achievement at https://www.newarkunified.org/departments/educational-services/accountability-and-testing/single-plan-for-student-achievement.

School Accountability Report Card (SARC)

All public schools receiving state funding are required to prepare and distribute a School Accountability Report Card (SARC). The purpose of the report card is to provide information to parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement. (NUSD BP 0510 School Accountability Report Card)

State law requires that the SARC contain all of the following:

- Demographic data
- School safety plan (Educ. Code 32280)
    - A complaint of noncompliance with the school safety planning requirements may be filed with the State Department of Education under the Uniform Complaint Procedures (5 CCR 4600 et seq.). (Educ. Code 32289)
- Climate for learning information
- Academic data
- School completion rates
- Class sizes
- Teacher and staff information
- Curriculum and instruction descriptions
- Postsecondary preparation information
- Fiscal and expenditure date

Electronic versions of the SARC are available at the web address below; each site will provide a paper copy of its site SARC for you to view upon request. School report cards must be updated annually and published by February 1. (Educ. Code 35256) See the current School Accountability Report Card for each school at https://www.newarkunified.org/departments/educational-services/accountability-and-testing/school-accountability-report-cards.

District Budget

Education Code 42127 requires the governing board of each school district to adopt a budget on or before July 1 of each year for the upcoming fiscal year. Find the adopted budget at www.newarkunified.org.

STEAM Education

As a key component of our district's vision, NUSD aims to be a model of world-class education to prepare our students for the 21st century with the skills to succeed in college and their careers. NUSD has developed a framework that supports all content areas by focusing on a coherent curriculum in STEAM (science, technology, engineering, arts, math) disciplines.

STEAM Policy Resolution

STEAM Education Policy Resolution No. 2104 was unanimously passed and adopted on May 1, 2018, by the Newark Unified School District Board of Education. It notes that:

- STEAM education is both the mastery and integration of Science, Technology, Engineering, the Arts, and Mathematics to embed STEAM concepts, methodologies, and skills into the habits of mind and actions of daily life for all PK-12 students.
- STEAM education incorporates scientific inquiry and technological or engineering design through student-focused, Project-Based Learning curricula to develop skills of communication, teamwork/collaboration, creativity/innovation, critical thinking, and problem-solving.
- STEAM, the Common Core standards, and specifically the Next Generation Science Standards (NGSS) go hand-in-hand. The NGSS integrates engagement in scientific and engineering practices, technology, mathematics, as well as human impact on the environment. The Common Core standards combined with authentic Standards-Based Instruction are designed to be robust and relevant to the real world, reflecting the knowledge and skills that our young people need for success in college and careers. This work needs to be connected to collaborative partnerships within the City of Newark, partnerships with Ohlone College, University of California, Berkeley, and other colleges and universities, as well as with business and the technology industry.
- When students brainstorm solutions for an engineering problem, they generate creative and innovative thinking to solve problems. STEAM Programs naturally involve art as students apply design to products, graphics, and stylized designs for presentations, and improve the appearance, design, and usability of products.

Finally, it was resolved that Newark Unified School District wants all its schools to be STEAM schools, providing authentic learning experiences that integrate STEAM subjects and contribute to students' fuller understanding and enrichment of the world as responsible, respectful, and productive citizens.

NOTICES TO STUDENTS AND PARENTS/GUARDIANS

Education is a Right

Students have the right to a free public education under California law, regardless of immigration status or religious belief, and NUSD believes that every school site should be a welcoming place for all students and their families. (Educ. Code 234.7)

Nondiscrimination in District Programs and Activities

The district does not discriminate based on gender, gender identity, gender expression, sex, race, color, religion, national origin, ethnic group identification, age, genetic information, mental or physical disability, sexual orientation, immigration status, or the perception of one or more of such characteristics.

In accordance with federal law, complaints alleging noncompliance with this policy should be directed to the school principal. Appeals may be made to the district superintendent. (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 Vocational Rehabilitation Act of 1973; Educ. Code 200 et seq.)

NUSD's Commitment to Nondiscrimination

On September 16, 2025, the NUSD Board of Education unanimously approved Board Policy 0410 Nondiscrimination In District Programs And Activities. It demonstrates NUSD's commitment to providing equal opportunity for all individuals in an environment that is free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, reproductive health decision making, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, veteran or military status, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

The policy includes, but is not limited to, the following rights for individuals and guidelines for the district:

- All individuals shall be treated equitably in the receipt of the district and school services.
- Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.
- District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.
- District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations.
- The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.
- The district's Uniform Complaint Coordinator receives and addresses complaints regarding access to district programs, services, activities, or facilities: Executive Director of Human Resources, 5715 Musick Ave., Newark, CA 94560, (510) 818-4242

Immigration Status

Children have a right to free public education, regardless of immigration status, citizenship status, or religious beliefs. When enrolling a child, schools must accept a variety of documents from the student's parents to demonstrate proof of the child's age or residency. No information about citizenship/immigration status or Social Security number is required to enroll in school. The California Attorney General's website provides "know your rights" resources for immigrant students and family members online at Immigration-Enforcement Actions at California Schools. (Educ. Code 234.7)

On March 7, 2017, NUSD's Board unanimously adopted Resolution No. 2041 Providing All Children Equal Access to Education, Regardless of Immigration Status. The resolution affirms our compliance with the U.S. Supreme Court finding in Plyler v. Doe, 457 U.S. 202 (1982), that local school districts have a constitutional mandate to educate all students residing within their jurisdictional boundaries, regardless of their immigration status.

Know Your Educational Rights

The following is information on educational rights issued by the California Attorney General, provided in compliance with Education Code 234.7:

- Your Child has the Right to a Free Public Education
  - All children in the US have a Constitutional right to equal access to free public education, regardless of immigration status of the student or student's parents or guardians.
  - In California:
    - All children have the right to free public education.
    - All children ages 6 to 18 years must be enrolled in school.
    - All students and staff have the right to attend safe, secure, and peaceful schools.
    - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
    - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.
- Information Required for School Enrollment
  - When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of the child's age or residency.
  - You never have to provide information about citizenship/immigration status or provide a Social Security number to have your child enrolled in school.
- Confidentiality of Personal Information
  - Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
  - Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory information policy, and let you know of your option to refuse the release of your child's information in the directory.
- Family Safety Plans if You Are Detained or Deported
  - You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
  - You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.
- Right to File a Complaint
  - Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.
  - **On February 17, 2026** the NUSD Board of Education updated Board Policy 1445 Response to

Immigration Enforcement.

Nondiscrimination/Harassment

The Governing Board desires to provide a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, of any student by anyone, based on the student's actual or perceived race; color; ancestry; nationality; national origin; immigration status; ethnic group identification; ethnicity; age; religion; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; parental, marital, and family status; physical or mental disability; medical condition; sex; sex stereotypes; sex characteristics; 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. (NUSD BP 5145.3 Nondiscrimination/Harassment)

The Board also prohibits any form of retaliation against any individual who reports or otherwise participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates, participates, or refuses to participate 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.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

Bullying

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a welcoming, safe, and supportive school environment that protects students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in a complaint resolution process. (NUSD BP 5131.2 Bullying)

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

Reporting

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Educ. Code 234.1)

Any student, parent/guardian, or other individuals who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

Any complaint of bullying, whether it is discriminatory or non-discriminatory, shall be investigated and resolved in accordance with law and the district's Uniform Complaint Procedures.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention, and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

Privacy Rights

The Governing Board believes that personal information concerning district students and their families should be kept private in accordance with the law. The Board prohibits district staff from administering or distributing to students survey instruments that are designed for collecting personal information for marketing or for selling that information. (20 USC 123h) (NUSD BP, AR 5022 Student And Family Privacy Rights)

Requesting Information About Beliefs and Practices

A student's parent/guardian shall provide prior written consent before the student participates in a survey containing one or more of the following items: (20 USC 1232h; Educ. Code 51513) (NUSD AR 5022 Student And Family Privacy Rights)

1. Political affiliations or beliefs of the student or his/her family.
2. Mental or psychological problems of the student or his/her family.
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers.
7. Religious practices, affiliations, or beliefs of the student or his/her parent/guardian.
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program.

If a student participates in a survey regarding information about beliefs and practices as identified above, school officials and staff members shall not request or disclose the student's identity.

Notwithstanding the above requirements, the district may administer to students in grades 7 - 12, anonymous, voluntary, and confidential research and evaluation tools such as the California Healthy Kids Survey to measure student health risks and behaviors, including tests and surveys about the student's attitudes or practices related to sex as long as parents/guardians are provided written notice and given an opportunity to request that their child not participate. (Educ. Code 51938)

Exceptions to Collection of Personal Information

Any district restriction regarding the collection of personal information shall not apply to the collection, disclosure, or use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions. (20 USC 1232h) (NUSD AR 5022 Student And Family Privacy Rights)

Before school staff administers a survey or evaluation containing personal information as identified above or distributes an instrument to a student for the purpose of collecting personal information, the student's parent/guardian may: (20 USC 1232h; Educ. Code 51938) (NUSD AR 5022 Student And Family Privacy Rights)

1. Upon request, inspect that survey or instrument before it is administered or distributed to his/her child or any instructional material used as part of his/her child's educational curriculum. Within a reasonable period of time of receiving a request, the principal or designee shall permit a parent/guardian to view a survey, instrument, or instructional material. A parent/guardian may view the document any time during normal business hours.

2. Refuse to allow his/her child to participate in the activity. Students whose parents/guardians exercise this option shall not be penalized by the district. (20 USC 1232h)

Physical Examinations

No school official or staff member shall subject a student to a non-emergency, invasive physical examination as a condition for school attendance, except as permitted or required under California law. (20 USC 1232h) (NUSD AR 5022 Student And Family Privacy Rights)

Surveillance in Public Areas

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded. (NUSD BP and AR 3515 School Safety And Security)

Locations

Video surveillance cameras may be used to observe public areas, including outdoor facilities and grounds, indoor facilities, school buses, offices and work locations, and classrooms with the written consent of the principal and teacher. (Educ. Code 51512)

Video surveillance cameras shall not be used in locations where individuals have a reasonable expectation of privacy, including the interior of any restroom, toilet, bathroom, washroom, shower, locker room, changing area, or lavatory. Areas under video surveillance shall be identified by appropriate signage.

Ownership, Storage, Use, and Access of Images

The images captured by video surveillance equipment are the sole property of the district and shall only be viewed by designated district administrators and those individuals specifically authorized by district administrators.

Information obtained through video monitoring will be used exclusively for security, safety, and law enforcement purposes. Recorded analog videotape and collected digital images will be stored on-site in a secure location. Tapes will not be duplicated or manipulated in any manner.

The images may be used in disciplinary or criminal proceedings instituted against students, employees, parents/guardians, and other individuals within the area being observed, subject to applicable state and federal law.

Video recordings may be made part of a student's educational record or a staff member's personnel record. The district shall comply with all applicable state and federal laws with regard to record retention and maintenance.

Law Enforcement

This rule does not apply to surveillance cameras placed by any law enforcement agency including the district attorney, the sheriff's office, the highway patrol, the city police, or any state or federal law enforcement agency. These agencies are governed by laws and regulations pertaining to the activities of the agency.

Transgender and Gender-Nonconforming Students

Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, regardless of whether they are sexual in nature, where the act has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited under state and federal law. (NUSD AR 5145.3 Nondiscrimination/Harassment)

The district's uniform complaint procedures shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the guidelines detailed in NUSD AR 5145.3 Nondiscrimination/Harassment, which include provisions for:

1. Right to Privacy
2. Determining a Student's Gender Identity
3. Addressing a Student's Transition Needs
4. Accessibility to Sex-segregated Facilities, Programs, and Activities
5. Student Records
6. Names and Pronouns
7. Uniforms/Dress Code

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 Board encourages the early, informal resolution of complaints whenever possible and appropriate. Uniform complaint procedures (UCP) are used to resolve complaints that cannot be resolved through such an informal process. The district's UCP shall be used to investigate and resolve complaints regarding the following programs and activities: (NUSD BP and AR 1312.3 Uniform Complaint Procedures)

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8498)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

20. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
21. State preschool programs (Education Code 8207-8225)
22. State preschool health and safety issues in license-exempt programs (Education Code 8212)
23. 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
24. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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.

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of 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)
6. Any complaint alleging non-compliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to the sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments, shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. All complaints shall be filed in accordance with NUSD BP 1312.3 Uniform Complaint Procedures. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

UCP Compliance Officer

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with the law. (NUSD AR 1312.3 Uniform Complaint Procedures):

Michael Williams	Assistant Superintendent of Human Resources
5715 Musick Avenue	Phone: 510-818-4103
Newark, CA 94560	Email: mwilliams@newarkunified.org

Copies of the district's UCP are available free of charge by request to the UCP compliance officer.

Investigation of Complaint

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

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

Report of Findings

Unless extended by written agreement with the complainant, a final decision 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 the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the 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. When required by law, the matter shall be considered in a closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

Investigation Report

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant. (5 CCR 4631)

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

1. The findings of fact-based on the evidence gathered.

2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law.
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600.
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610.
5. Procedures to be followed for initiating an appeal to CDE

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

Appeals

Any complainant who is dissatisfied with the district's final investigation report regarding any specified federal or state educational program subject to UCP may file an appeal in writing with the CDE within 30 calendar days of receiving the district's investigation report. (Educ. Code 49013, 52075; 5 CCR 4632) The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint.

Williams Uniform Complaint Procedures

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following: (Educ. Code 35186; 5 CCR 4680, 4683) (NUSD AR 1312.4 Williams Uniform Complaint Procedures)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
    a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
    b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
    c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
    d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
    a. A semester begins and a teacher vacancy exists.
3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
    a. A condition poses an emergency or urgent threat to the health or safety of students or staff.
    b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Filing of Complaint

A complaint alleging any condition(s) specified in the section above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Educ. Code 35186; 5 CCR 4680)

Investigation and Response

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. The principal or Superintendent's designee shall

remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Educ. Code 35186; 5 CCR 4680, 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send a written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186; 5CCR 4680, 5685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Educ. Code 35186)

If a complainant is not satisfied with a resolution of the complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Educ. Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section above, a complainant who is not satisfied with the resolution proffered by the principal, or Superintendent, or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Educ. Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Educ. Code 35186; 5 CCR 4686)

STUDENT, PARENT/GUARDIAN RIGHTS & RESPONSIBILITIES

Student Responsibilities

Students are expected to follow school rules, comply with directions from school staff, demonstrate diligence in their studies, treat others with respect, and use appropriate language at school and during school activities. (5 CCR 300)

Students are also expected to conduct themselves responsibly while traveling to and from school and at school-sponsored activities. (Education Code 44807)

Parent/Guardian Rights and Responsibilities

The parent/guardian rights and responsibilities are outlined below; the full text can be found in NUSD AR 5020 Parent Rights And Responsibilities.

The rights of parents/guardians of district students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled or for the purpose of selecting the school in which their child will be enrolled (Education Code 51101) Parents/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Board policy and administrative regulations. (Education Code 49091.10)
2. To meet, within a reasonable time of their request, with their child's teacher(s) and the principal (Education Code 51101)
3. Under the supervision of district employees, to volunteer their time and resources for the improvement of school facilities and school programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher (Education Code 51101)
4. To be notified on a timely basis if their child is absent from school without permission (Education Code 51101)
5. To receive the results of their child's performance and the school's performance on standardized tests and statewide tests (Education Code 51101). For parents/guardians of English learners, this right shall include the right to receive the results of their child's performance on the English language development test. (Education Code 51101.1)
6. To request a particular school for their child and to receive a response from the district (Education Code 51101)
7. To have a school environment for their child that is safe and supportive of learning (Education Code 51101)
8. To examine the curriculum materials of the class(es) in which their child is enrolled (Education Code 51101; 20 USC 1232h). Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments stored by the classroom teacher, including textbooks, teacher's manuals, films, audio and video recordings, and software. (Education Code 49091.10). Each school site shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course. (Education Code 49091.14). The school may charge an amount not to exceed the cost of duplication. (Education Code 49091.14)
9. To be notified of the opportunity to opt their child out of certain instruction, as required by law (Education Code 51240, 51938)

10. 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 (Education Code 51101)
11. For parents/guardians of English learners, to support their child's advancement toward literacy (Education Code 51101.1) The Superintendent or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code 60510. (Education Code 51101.1)
12. For parents/guardians of English learners, to be informed, through the school accountability report card, about statewide and local academic standards, testing programs, accountability measures, and school improvement efforts (Education Code 51101.1)
13. To have access to the student records of their child (Education Code 51101)
14. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish (Education Code 51101)
15. To be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes, and procedures for visiting the school (Education Code 51101)
16. To be notified, as early in the school year as practicable pursuant to Education Code 48070.5, if their child is identified as being at risk of retention, and of their right to consult with district personnel responsible for a decision to promote or retain their child and to appeal such a decision (Education Code 51101)
17. To receive notice and information about and to opt out of any psychological testing involving their child (Education Code 51101)
18. To receive notice and information about and to opt out of any assessment, analysis, evaluation, or monitoring of the quality or character of the student's home life, any form of parent/guardian screening or testing, any nonacademic home-based counseling program, parent/guardian training, or any prescribed family education service plan, and to inspect any survey collecting personal information (Education Code 49091.18; 20 USC 1232h)
19. 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 (Education Code 51101). For parents/guardians of English learners, this right shall include the right to participate in school and district advisory bodies in accordance with federal and state law and regulations. (Education Code 51101.1)
20. To question anything in their child's record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school (Education Code 51101)
21. To provide informed, written parental consent before their child is tested for a behavioral, mental or emotional evaluation. A general consent, including medical consent used to approve admission to or involvement in a special education or remedial program or regular school activity, shall not constitute written consent for these purposes. (Education Code 49091.12)
22. For parents/guardians of English learners, to be given any required written notification, under any applicable law, in English and the student's home language pursuant to Education Code 48985 (Education Code 51101.1)

Parent/Guardian Liability

The Governing Board shall seek reimbursement of damages and rewards from any individual or from the custodial parent/guardian of any minor who commits any act of theft or vandalism. (Educ. Code 48904) (NUSD BP 3515.4 Recovery For Property Loss Or Damage)

Laws for Parent/Guardian(s) Regarding Safe Storage of Firearms

The purpose of this section is to inform and to remind parents and legal guardians of all students in Newark Unified School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many national news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

Please take some time to review this summary of California law regarding the storage of firearms and evaluate your own personal practices to assure that you and your family are in compliance.

- 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.
  - 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.

- 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.

- 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.

Note: The county or city of Newark 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.

Parent/Guardian Involvement Policies

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The district-level parent/guardian involvement policy outlines the importance of developing meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Each school has a policy for parent/guardian involvement included in its annually-updated Single Plan for Student Achievement (SPSA). For a copy of the policy visit the Single Plan for Student Achievement at www.newarkunified.org or a school's main office to review the school site's SPSA.

Volunteer Policy

Volunteers shall act in accordance with district policies, regulations, and school rules. The District is under no obligation to accept, place, or continue the services of any volunteer. Site Administration may ask any volunteer who violates school rules, Board Policies, or Administrative Regulations to leave the campus. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers. Parents/Guardians will be informed by the site administration of their rights to appeal the decision using the Uniform Complaint process. (Educ. Code 200 & 220, Government Code 11135)

Prior to assuming a volunteer position working with students in a district-sponsored student activity program, a volunteer shall obtain fingerprint clearance at his/her own expense through the Department of Justice and Federal Bureau of Investigation. Student activity programs include but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a

school booster club, such as cheer team, drill team, dance team, and marching band. (Educ. Code 49024) (NUSD AR 1240 Volunteer Assistance)

Volunteer Application Procedure

Volunteer Submission
The volunteer submits the completed application through Informed K12, along with all required documentation.

Site Review
The Office Manager verifies the volunteer's government-issued ID through the Megan's Law website and forwards the application to the Principal for approval.

Pupil Services Review
Once approved by the Principal, the application is forwarded to Pupil Services. Based on the volunteer's clearance level, Pupil Services verifies:

- TB clearance
- Live Scan fingerprint clearance, if required
- Mandated Reporter Training - Beginning **July 1, 2026**, all volunteers must complete the **State of California Mandated Reporter Training for Volunteers (CA SB 848)** annually.
  Once all required clearance items are complete,

Final Approval- Pupil Services provides final approval for the volunteer. volunteers will be notified of their status from the school site.

Requirement	Level 1 — Basic Clearance	Level 2 — Extended Clearance
Volunteer Application	Submitted through Informed K12	Submitted through Informed K12
Identity Check	Government-Issued ID checked against the Megan's Law website	Government-Issued ID checked against the Megan's Law website-cleared by Site Office Manager
TB Clearance	Verification required - cleared through student services	Verification required - cleared through student services
Mandated Reporter Training	Required- cleared through student services	Required- cleared through student services
Live Scan Fingerprints (DOJ & FBI)	Not required	Required - cleared through student services
Vehicle Inspection	Not required	*Only required if transporting students - conducted at the school site*
Proof of Driver's License and Qualifying Automobile Insurance	Not required	*Only required if transporting students-collected at the school site*

Care and Return of Instructional Materials

Instructional materials issued to students remain the property of the Newark Unified School District. Students are expected to take reasonable care of all borrowed materials and return them in good condition, allowing for normal wear and tear.

Parents/guardians may be held financially responsible for the replacement cost of instructional materials that are lost or damaged beyond use. (Education Code 48904)

When materials are damaged but remain usable, a reduced charge may be assessed. The Superintendent or designee may waive all or part of the charge if it is determined that the student took reasonable precautions to care for and safeguard the materials.

Withholding Grades, Diplomas, or Transcripts

Students are responsible for district-issued instructional materials and other school property. When materials are lost, damaged, or not returned, students and parents/guardians may be required to pay for the replacement or repair of the item.

If payment is not made and the obligation is not otherwise resolved, the District may withhold grades, diplomas, or transcripts in accordance with applicable law and Board policy. Students and families who are unable to pay may be offered the opportunity for the student to complete a voluntary work program. Upon successful completion of the voluntary work program, any withheld grades, diplomas, or transcripts will be released. (NUSD BP 6161.2 Damaged or Lost Instructional Materials)

Freedom of Speech

The Governing Board believes that free inquiry and the exchange of ideas are essential components of education. Students have the right to express their ideas and opinions, support causes, and participate in lawful forms of expression, even when those views may be controversial or unpopular. (NUSD BP 5145.2 Freedom of Speech/Expression)

Students may exercise freedom of speech and of the press through activities such as posting on approved bulletin boards, distributing printed materials and petitions, wearing buttons, badges, and other insignia, and contributing to official student publications. Student expression on district or school websites and online media is generally afforded the same protections as expression in print media. (Education Code 48907)

Student expression may not be obscene, libelous, slanderous, threatening, or disruptive to the educational environment. Students may not distribute or post materials that create a clear and present danger of unlawful acts, violations of school rules, or substantial disruption of school operations. (Education Code 48907)

The District will not discipline students solely for speech that is protected by the Constitution or by law. However, students may be subject to disciplinary action for conduct involving harassment, threats, intimidation, or other unlawful behavior. (Education Code 48950)

Dress Code

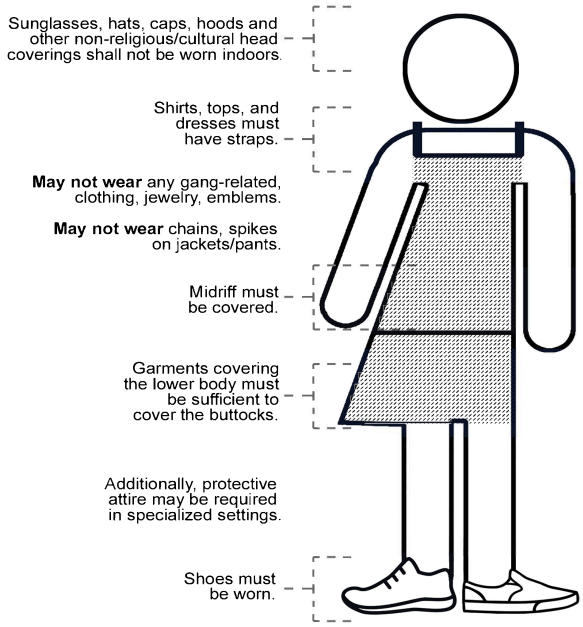
The principal or designee is responsible for enforcing the dress code and will inform students when their attire does not comply with school expectations. The dress code shall be enforced in a fair, consistent, and nondiscriminatory manner and shall not discriminate based on a student's gender, sexual orientation, race, ethnicity, household income, body type, size, or viewpoint.

Students who do not follow the dress code will be informed of the concern and allowed to correct it when appropriate. Repeated violations or refusal to comply may result in disciplinary action. (NUSD BP/AR 5132 Dress and Grooming)

In cooperation with teachers, students, and parents/guardians, the principal or designee may establish additional school-specific dress and grooming guidelines that are consistent with applicable laws, Board policy, and administrative regulations.

The following guidelines shall apply to all regular school activities:

1. Clothing, jewelry, and personal items may not display words, images, symbols, or messages that are vulgar, obscene, profane, sexually suggestive, or that promote alcohol, tobacco, drugs, violence, or illegal activities.
2. Steel-toed shoes and shoes with spikes are not permitted on campus.
3. Sunglasses, hats, caps, hoods, and other non-religious or non-cultural head coverings may not be worn indoors. When worn outdoors, head coverings must be worn as intended (e.g., baseball caps with the bill facing forward). "Double" head coverings, such as a beanie or cap worn underneath a hood, are not permitted on campus.
4. Clothing must adequately cover undergarments and private areas. See-through clothing that exposes undergarments or private areas is not permitted.
   - Strapless tops, including tube tops and bustiers, are not permitted.
   - Pants, shorts, skirts, and other garments worn on the lower body must fully cover the buttocks and may not be worn in a manner that exposes undergarments or sags excessively below the waist.



Visual description is as follows:

Dress Code from Head to Toe

- Sunglasses, hats, caps, hoods and other non-religious/cultural head coverings shall not be worn indoors.
- May not wear "double" head coverings.
- Shirts, tops, and dresses must have straps.
- May not wear any gang-related clothing, jewelry, or emblems.
- May not wear chains or spikes on jackets or pants.
- Midriff must be covered.
- Garments covering the lower body must be sufficient to cover the buttocks.
- Additionally, protective attire may be required in specialized settings.
- Shoes must be worn.

The dress code may be modified as appropriate to accommodate a student's religious or cultural observance, health condition, disability, or other circumstance deemed necessary by the principal or designee. Students are permitted to wear sun-protective clothing, including hats, for outdoor use during the school day. (Education Code 35183.5)

Students who do not follow the dress code will be informed of the concern and allowed to correct it when appropriate. Repeated violations or refusal to comply may result in disciplinary action. (NUSD BP/AR 5132 Dress and Grooming)

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282) Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35183) At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183). Parents/guardians shall also be informed of their right to have their child exempted. The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms. Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183) A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site. (NUSD AR 5145.3 Nondiscrimination/Harassment, updated November 2023)

Student Use of Technology: Acceptable Use Agreement

The following section is in compliance with NUSD BP 6163.4 Student Use of Technology.

The Newark Unified School District authorizes students to use technology owned or otherwise provided by the district as necessary for instructional purposes. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

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

District Technology

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

Student Obligations and Responsibilities with Technology

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

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

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

Privacy

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

Personally Owned Devices

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

Technology Reporting

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

Consequences for Violation

Violations of the law, Board policy, or this agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Board policy, or this agreement may be reported to law enforcement agencies as appropriate. Gross misuse and damage beyond what is considered “normal” wear and tear may be subject to a fine equal to the repair or replacement of the damaged device.

Acknowledgment

Each student who is authorized to use district technology and his/her parent/guardian shall sign an Acceptable Use Agreement as an indication that they have read and understood the agreement. The Student, Parent/Guardian Acknowledgement, Exclusion, and Release Form that accompanies this handbook require the signature of both the student and parent/guardian if the student is under 18 years of age, a parent/guardian must also read and sign the agreement.

This item appears on the Student & Parent/Guardian Acknowledgment, Exclusion, Release Form

The student’s signature acknowledges:

- I have received, read, understand, and agree to abide by this Acceptable Use Agreement and other applicable laws and district policies and regulations governing the use of district technology.

- I understand that there is no expectation of privacy when using district technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

The parent/guardian's signature acknowledges:

- As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Acceptable Use Agreement.
- By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet.
- I understand that, despite the district's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials
- I agree to release from liability, indemnify, and hold harmless the school, district, and district personnel against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district.
- Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Cell Phones and Other Electronic Signaling Devices

Student use of mobile communication devices shall be in accordance with BP/AR 5131.8 (updated May 19, 2026, to align with current law).

Student use of mobile communication devices is governed by Board Policy and Administrative Regulation 5131.8. During the instructional day, devices must be turned off or placed in "Do Not Disturb" mode and stored in a student backpack or other district-designated location, except as expressly permitted by district policy. Mobile communication devices shall not be used in any manner that infringes on the privacy rights of others, including unauthorized recording.

Students must comply with directions from school personnel regarding the use of mobile communication devices. When a device is used in an unauthorized manner, a district employee may require the student to surrender the device. The device will be stored and returned in accordance with district procedures.

Exceptions may apply in emergency situations, when authorized by school staff, for documented health needs, or as required by a student's Individualized Education Program (IEP) or Section 504 Plan.

Student Use Of Bicycles

The Governing Board recognizes that bicycle helmets lessen the seriousness of head injuries. The Board expects that students who ride bicycles to and from school will consistently wear bicycle helmets, observe safety laws and rules, and display courtesy toward other riders and pedestrians. Students are encouraged to use bicycle locks. The district will not be responsible for bicycles that are lost, stolen, or damaged. (NUSD BP 5142.3 Student Use Of Bicycles)

A person under 18 years of age shall not operate a bicycle, a non-motorized scooter, or a skateboard, nor shall they wear in-line or roller skates, nor ride upon a bicycle, a non-motorized scooter, or a skateboard as a passenger, upon a street, bikeway or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or in a trailer towed by the bicycle. The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed pursuant to this subdivision. (Vehicle Code 21212 Obedience To And Effect Of Traffic Laws; Operation of Bicycles)

Absences for Confidential Medical Services

School authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Educ. Code 46010.1)

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

Dissecting, Harming, or Destroying Animals

Any student with a moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, shall notify his or her teacher regarding this objection. If the student chooses to refrain from participation in an education project or test involving the harmful or destructive use of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing the student an alternate avenue for obtaining the knowledge, information, or experience required by the course of study in question. The alternative education project shall require a comparable time and effort investment by the student. It shall not, as a means of penalizing the student, be more arduous than the original education project. The student shall not be discriminated against based upon the student's decision to exercise their rights pursuant to this chapter. Students choosing an alternative educational project shall pass all examinations of the respective course of study in order to receive credit for that course of study. A student's objection to participating in an educational project pursuant to this section shall be substantiated by a note from his or her parent or guardian. (Educ. Code 32255-32255.6)

Code of Conduct for District Employees

The employee, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The employee accepts the responsibility to adhere to the highest ethical standards.

The employee recognizes the magnitude of the responsibility inherent in our school district. The desire for the respect and confidence of one's colleagues, students, parents, and members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. This code indicates the aspiration of all employees and provides standards by which to judge conduct.

The employee strives to help each student realize his/her potential as a worthy and effective member of society. The employee, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of this obligation to the student, the employee:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make a reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
7. Exclude any student from participation in any program
8. Deny benefits to any student
9. Grant any advantage to any student
10. Shall not use professional relationships with students for private advantage.
11. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

Sexual Harassment Policy

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. (NUSD BP, AR 5145.7 Sex Discrimination and Sex-Based Harassment)

Sex discrimination includes treating a student differently with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services based on the student's sex, sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; or the student's association with a person or group with one or more of these actual or perceived characteristics.

Sex discrimination, including sex-based harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct and occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, sex stereotypes, sex characteristics, or other bases specified above. Conduct will constitute sex-based harassment when it takes the form of: (34 CFR 106.2, 106.11)

1. Quid pro quo harassment: A district employee, agent, or other individual authorized by the district to provide an aid, benefit, or service in the district's education program or activity conditioning the provision of district aid, benefit, or service on a student's participation in unwelcome sexual conduct.
2. Hostile environment harassment: Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the district's education program or activity.
3. Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sex-based harassment in violation of district policy if it has a continuing effect on a student's ability to participate in or benefit from district educational programs or activities.
4. Sexual assault, dating violence, domestic violence, or stalking as defined in 34 CFR 106.2

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.

4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Reporting

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

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

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) (NUSD AR 5145.7 Sex Discrimination and Sex-Based Harassment)

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 safe and nondiscriminatory environment for all students. (NUSD AR 5145.7 Sex Discrimination and Sex Based Harassment)

Response Pending Investigation

When an incident of sexual harassment is reported, 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. 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. (NUSD AR 5145.7 Sexual Harassment)

Compliance Officer

The district designates the following individual as the responsible employee 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 NUSD AR 1312.3 Uniform Complaint Procedures:

Michael Williams
5715 Musick Avenue
Newark, CA 94560

Assistant Superintendent of Human Resources
Phone: 510-818-4103
Email: mwilliams@newarkunified.org

Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline the entire circumstances of the incident(s) shall be taken into account. (NUSD AR 5145.7 Sexual Harassment)

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements. (NUSD AR 5145.7 Sex Discrimination and Sex-Based Harassment)

Alcohol, Tobacco, Drug Use

Use of tobacco products at any time by students, staff, parents, or visitors, is strictly prohibited in district-owned or leased buildings, on District property, in district vehicles, and at any school-sponsored instructional program, activity, or athletic event held on or off district property. Prohibited products include any product containing tobacco or nicotine and vaporized solutions. Students' possession or use of electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products is also prohibited. Any employee or student who violates the district's tobacco-free school policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate. (Educ. Code 48900, 48901) (Health and Safety Code 104420) (NUSD BP 5131.62 Tobacco)

Students possessing, selling, and/or using alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures which may result in suspension or expulsion and/or referral to law enforcement in accordance with the law, Board policy, and administrative regulation. In addition, such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or restricted from extracurricular activities, including athletics. (NUSD BP 5131.6 Alcohol And Other Drugs)

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use. (NUSD BP 5131.6 Alcohol And Other Drugs)

Danger of Synthetic Drugs

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

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

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

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

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

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

Additional information regarding fentanyl from the CDPH’s Substance and Addiction Prevention Branch can be found here Link

Search And Seizure

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items. When conducting a search or seizure, employees shall act in accordance with the law, Board policy, and administrative regulation. (NUSD BP 5145.12 Search And Seizure)

Searches

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices. (NUSD BP 5145.12 Search And Seizure)

Employees shall not conduct strip searches or body cavity searches of any student. (Educ. Code 49050)

Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff. The Superintendent or designee may use metal detectors at district schools as necessary to help provide a safe learning environment. He/she shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner. (NUSD BP 5145.12 Search And Seizure)

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, non-aggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without their consent. (NUSD BP 5145.12 Search And Seizure)

Interview and/or Arrest of Student at School

Law enforcement officers have the right to interview students on school premises, as suspects or witnesses. Except in cases of child abuse or neglect, the principal or designee shall notify the student's parent/guardian when a law enforcement officer requests an interview on school premises. If a site administrator releases a student into the custody of a law enforcement officer, he/she shall immediately notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except in cases of suspected child abuse. Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person. (NUSD BP 5145.11 Questioning And Apprehension)

Foster Youth Student Rights

Foster youth have educational rights, including, but not limited to:

- If a foster child's residence changes, the LEA must let the child remain in his/her school of origin for as long as the court has jurisdiction over the child's placement. (Educ. Code 48853.5(g), 48853.5(f))
- Immediate enrollment in a new school, even if the foster child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce

clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to records or other proof of immunization history, proof of residency, other documentation, or school uniforms. (Educ. Code 48853.5(f)(8)(B))
- A child's grades may not be lowered due to absences caused by a change in placement, verified court appearance or related court ordered activity (Educ. Code 49069.5(h))
- A foster youth who transfers into a district high school has the right to transfer any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to receive full or partial credit for the coursework completed as long as evidence is provided (i.e. transcript or completion report)
- Foster youth are not required to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
- If a foster youth has completed his/her second year of high school before the transfer, there may be district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted (Educ. Code 51225.1)

The California Foster Youth Education Task Force offers a standardized notice of the educational rights of foster children, as specified in Education Code 48850-48859. Find the full text in the California Foster Youth Education Law Fact Sheets (LINK)

The NUSD liaison for foster youth is the Director of Student Service and Alternative Education (NUSD AR 1312.3 Uniform Complaint Procedures)

Director of Student Service and Alternative Education
5715 Musick Avenue, Newark, CA 94560,
(510) 818-4226 or (510) 818-4103 (Reception Desk)

Homeless Student Rights

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students. (NUSD BP 6173 Education for Homeless Children)

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. (42 USC 11432)

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Educ. Code 48850)

The Superintendent designates a staff person as the district liaison for homeless students and to oversee the education and related services for homeless students: (Educ. Code 48852.5; 42 USC 11432)

Director of Student Service and Alternative Education
5715 Musick Avenue, Newark, CA 94560
(510) 818-4226 or (510) 818-4103 (Reception Desk)

Enrollment for Homeless Students

The district shall make placement decisions for homeless students based on the student's best interest. The student may continue attending his/her school of origin for the duration of the homelessness and until the end of any academic year in which he/she moves into permanent housing. (Educ. Code 48852.7; 42 USC 11432)

A homeless or foster youth shall not be required to provide proof of residency as a condition of enrollment in district schools. (Educ. Code 48853.5; 42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, including if the student or parent/guardian/caretaker is unable to provide the school with the records normally required for enrollment, or if the student: (42 USC 11432)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records
4. Has missed application or enrollment deadlines during any period of homelessness

A homeless student shall have the benefit of matriculating with his/her peers in accordance with the established feeder patterns. (Educ. Code 48852.7; 42 USC 11432)

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin minimally through the duration of the school year. (Educ. Code 48852.7)

Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian, or the district liaison in the case of an unaccompanied youth, requests that such transportation be provided. (42 USC 11432)

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (Educ. Code 48852.7)

Transfer of Coursework and Credits

When a homeless student transfers into a district school, the district shall accept and issue a full credit for any coursework that the student has satisfactorily completed and shall not require the student to retake the course. (Educ. Code 51225.2)

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Educ. Code 51225.2)

In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Educ. Code 51225.2)

Applicability of Graduation Requirements

To obtain a high school diploma, a homeless student shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. (Educ. Code 51225.1)

Accident Insurance Coverage for Students

The Board of Education provides an opportunity to purchase student accident insurance for students enrolled in NUSD. The district has no other student insurance covering your child.

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 (510) 793-4567. (Educ. Code 32221.5)

If your children in junior high school or high school plan to take part in any athletic contest between two schools, there are two ways of meeting the insurance requirements: (a) through the purchase of student accident insurance offered by the District or (b) by signing a waiver form indicating that the student's present insurance provides coverage in this amount for injuries incurred while participating in the interscholastic events.

Details about insurance plans (including application and payment information) are available at Student Insurance USA/K-12 Special Markets.

Megan's Law Notification

Parents and members of the public have the right to review information regarding registered sex offenders at the main office of the local law enforcement agency for this school district: (Penal Code 290.4)

Newark Police Department
37101 Newark Blvd.
Newark, CA 94560

Child Find Requirement

The Governing Board recognizes the need to actively and systematically seek out all individuals with exceptional needs from birth to age 21 residing and/or attending school within the district in order to provide them with appropriate educational opportunities in accordance with state and federal law. (Educ. Code 56300) (NUSD BP 6164.4 Identification And Evaluation Of Individuals For Special Education)

Parent Rights and Procedural Safeguards

In addition to the information below, the Special Education Department can provide parents/guardians a copy of their rights and procedural safeguards in accordance with Section 1415(d)(1)(A) of Title 20 of the United States Code, and Section 300.504(a) of Title 34 of the Code of Federal Regulations.

Special Education Department
5715 Musick Avenue
Newark, CA 94560

Special Education Administrative Secretary (510) 818-4208

Referral for Special Education

A student may be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, used. (Educ. Code 56303)

All referrals from school staff for special education and related services shall include a brief reason for the referral and a description of the regular program resources that were considered and/or modified for use with the student, and, when appropriate, the results of the intervention. (5 CCR 3021)

Initial Evaluation

Before the initial provision of special education and related services to a student with a disability, the district shall conduct a full and individual initial evaluation of the student. (Educ. Code 56320; 34 CFR 300.301)

Upon receipt of a referral or request of any student for special education and related services, a proposed evaluation plan, shall be developed within 15 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year, or term. (Educ. Code 56043, 56321)

The proposed evaluation plan shall meet all of the following requirements: (Educ. Code 56321)

1. Be in a language easily understood by the general public.
2. Be provided in the native language of the parent/guardian or other modes of communication used by the parent/guardian unless to do so is clearly not feasible.
3. Explain the types of assessments to be conducted.
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent.

Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503.

Upon completion of the administration of tests and other evaluation materials, an initial IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with exceptional needs as defined in Education Code 56026 and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.

When making a determination of eligibility for special education, the district shall not determine that the student qualifies for special education services if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency.

A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian. If the parent/guardian disagrees with an evaluation obtained by the district he/she has the right to request, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR 300.502. The parent/guardian is entitled to request only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

Parent/Guardian Consent for Evaluations

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the initial evaluation. The district shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (Educ. Code 56321; 34 CFR 300.300)

Informed parental consent means that the parent/guardian: (Educ. Code 56021.1; 34 CFR 300.9)

1. Has been fully informed, in his/her native language or other modes of communication of all information relevant to the activity for which consent is sought.
2. Understands and agrees, in writing, to the carrying out of the activity for which his/her consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom.
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time an IEP required as a result of an assessment of a pupil shall be developed within a total time not to exceed 60 days, not counting days between the pupil's regular school sessions, terms, or days of school vacation in excess of five school days, from the date of receipt of the parent's written consent for assessment, unless the parent agrees, in writing, to an extension. However, an individualized education program required as a result of an assessment of a pupil shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each local educational agency's school calendar for each pupil for whom a referral has been made 30 days or less prior to the end of the regular school year. In the case of pupil school vacations, the 60-day time shall recommence on the date that pupil schooldays reconvene. A meeting to develop an initial individualized education program for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services pursuant to Section 300.323(c)(1) of Title 34 of the Code of Federal Regulations (Educ. Code 56344; 34 CFR 300.300, 300.301).

Every Student Succeeds Act

Under Every Student Succeeds Act (ESSA), parents have the following rights: (20 USC 6301 et seq.)

- Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides: Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects they teach, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, and whether they have any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications. The district shall also notify parents if their child has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.
- Information Regarding Individual Student Reports on Statewide Assessments: Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.
- Limited English Proficient Students: The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for English learners.

More information about the above is available upon request from your child's school or the district office.

STUDENT RECORDS & DIRECTORY INFORMATION

Student Records

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall ensure that the district's administrative regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law. (NUSD BP 5125 Student Records)

Student records are any items of information gathered within or outside the district that are directly related to an identifiable student and maintained by the district. A student record may be recorded in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, or by other means. Student records include the student's health records. (Educ. Code 49061, 49062; 5 CCR 430; 34 CFR 99.3) (NUSD AR 5125 Student Records)

The district custodian of student records (5 CCR 431):

noskolkoff@newarkunified.org
Director of Student Service and Alternative Education
5715 Musick Avenue
Newark, CA 94560

Changes to Student Records

Only a parent/guardian having legal custody of the student or an adult student may challenge the content of a record or offer a written response to a record. (Educ. Code 49061)

Retention and Destruction of Student Records

Mandatory permanent student records are those records that are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430) (NUSD AR 5125 Student Records)

Mandatory interim student records are those records that the schools are directed to compile and maintain for stipulated periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430) (NUSD AR 5125 Student Records)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430) (NUSD AR 5125 Student Records) Permitted student records may be destroyed six months after the student completes or withdraws from the educational program.

Records shall be destroyed in a way that assures they will not be available for possible public inspection in the process of destruction. (5 CCR 437)

Access to Student Records

Persons, agencies, or organizations specifically granted access rights pursuant to law shall have access without prior written parental consent or judicial order. In addition, parental consent is not required when information is shared with other persons within educational institutions, agencies, or organizations obtaining access, as long as those persons have a legitimate educational interest in the information. (Educ. Code 49076)

A legitimate educational interest is one held by 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. (NUSD AR 5125 Student Records)

The Superintendent or designee may release information from student records pursuant to Education Code 49069.3, 49076, and 49076.5, and Health and Safety Code 120440.

Persons, agencies, or organizations not afforded access rights pursuant to law may be granted access only through written permission of the parent/guardian or adult student, or by judicial order. Only a parent/guardian having legal custody of the student may consent to the release of records to others. (Educ. Code 49061, 49075, 34 CFR 99.30)

Procedures for Access

Student records shall be maintained in a central file at the school attended by the student or when records are maintained in different locations, a notation shall be placed in the central file indicating where other records may be found. (Educ. Code 49069; 5 CCR 433)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records.

Authorized persons, organizations, or agencies from outside the school whose access requires consent from the parent/guardian or adult student shall submit their request, together with any required authorization, to the Superintendent or designee or the custodian of records. (5 CCR 435)

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the records and the legitimate educational interest of the requester. (Educ. Code 49064; 5 CCR 432)

Duplication of Student Records

To provide copies of any student record, the district shall charge a reasonable fee not to exceed the actual cost of furnishing 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. (Educ. Code 49065)

Transfer of Student Records

When a student transfers into this district from another, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her suspension or expulsion. (Educ. Code 48201)

Challenging Student Records

The custodial parent/guardian of any student may submit to the Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child that he/she alleges to be any of the following: (Educ. Code 49070) (NUSD AR 5125.3 Challenging Student Records)

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted
5. Misleading
6. In violation of the privacy or other rights of the student

If the parent/guardian's allegations are sustained, the Superintendent shall order the correction or removal and destruction of the information. (Educ. Code 49070)

The right to challenge a record becomes the sole right of the student when the student becomes 18 or attends a postsecondary institution. (Educ. Code 49061)

Photographs

Consistent with Education Code 49061, photographs of students are pupil records and cannot be released without parent/guardian consent.

We have included a section within the Acknowledgment, Exclusion, Release Form giving the district permission to publish photographs of students.

Student Directory Information

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with the law, Board policy, and administrative regulation.

Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed, such as: (34 CFR 99.3; Education Code 49061) (NUSD AR 5125.1 Release Of Directory Information)

This item appears on the Student & Parent/Guardian Acknowledgment, Exclusion, Release Form

1. Name
2. Address
3. Telephone number
4. Email address
5. Date and place of birth
6. Major field of study
7. Participation record in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

Release of Student Directory Information

The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board policy and administrative regulation. (NUSD BP 5125.1 Release Of Directory Information)

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on his/her determination of the best interests of district students. (Educ. Code 49073)

Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC 7908; 10 USC 503; Education Code 49603)

Withholding Student Directory Information

Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that the district may not release the name, address, and telephone number of their child without prior written consent. (20 USC 1232g, 7908; Education Code 49073)

Federal Race and Ethnicity Data Collection Reporting

The U.S. Department of Education requires a two-part question to be used to collect data about students' or staff members' race and ethnicity for federal education eligibility and accountability reports. In addition, California Government Code 8310.5 also requires local educational agencies and schools to collect and report data consistent with these federal requirements and the detailed collection of Asian and Pacific Islander subpopulations.

The first part consists of a question about the respondent's ethnicity:

- Hispanic or Latino
- Not Hispanic or Latino

The second part asks respondents to select one or more races from the following categories:

- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Asian and Pacific Islander groups, including, but not limited to, Asian Indian, Cambodian, Chinese, Filipino, Guamanian, Hawaiian, Hmong, Japanese, Korean, Laotian, Samoan, Tahitian, and Vietnamese (California Government Code 8310.5)

ENROLLMENT

Pupil Services oversees enrollment for the district. Visit Pupil Services under the Educational Services Department at www.newarkunified.org or call (510) 818-4202 for additional information.

District Residency

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria: (NUSD AR 5111.1 District Residency)

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student is admitted through an interdistrict attendance option. (Education Code 46600, 48204, 48301, 48356)
4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)
8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)
9. 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. (Education Code 48204.3)
10. The student's parent/guardian was a resident of California who departed the state against his/her 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. (Education Code 48204.4)

Reasonable evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district. Each student's district residency status shall be verified annually and schools will retain a copy of the verification in the student's mandatory permanent record. (Educ. Code 48204.1, 5 CCR 432) (NUSD AR 5111.1 District Residency)

Failure to Verify Residency

If the Superintendent or designee reasonably believes and, upon investigation, determines that a student's enrollment or attempted enrollment is based on false or unreliable evidence of residency, he/she may deny or revoke the student's enrollment. (Educ. Code 48204.1) (NUSD AR 5111.1 District Residency)

Safe at Home/Confidential Address Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee shall use the substitute address. The district may request the actual residence address for the purpose of establishing district residency. (Government Code 6206, 6207)

Minimum Age of Admission Transitional Kindergarten

Starting 2026-2027 school year, all children who turn four by September 1 are eligible for TK.

Minimum Age of Admission to Kindergarten

A child shall be eligible for enrollment in kindergarten at the beginning of the school year or at a later time in the same year, if the child has his or her fifth birthday, on or before September 1. (Educ. Code 48000)

Oral Health Assessment

All children enrolling in public school for the first time — including **Transitional Kindergarten (TK)**, **Kindergarten**, and **1st grade** — are required to **have an oral health assessment** (dental exam) by **May 31 of their first school year**, in accordance with California law. The exam must be performed by a licensed dental professional. (Educ. Code 49452.8)

Immunizations

To attend school, students must be fully immunized in accordance with California law. Students may be excluded from school or exempted from immunization requirements only as permitted by law. All required immunizations that are currently due must be received before a student may attend school. (NUSD BP 5141.31 Immunizations)

Students entering kindergarten, advancing from sixth to seventh grade, or enrolling in the district for the first time must meet the immunization requirements of California Health and Safety Code section 120335, unless a valid exemption is provided as permitted by law.

Parents/guardians must provide documentation verifying that their student has received all immunizations required for school attendance. Additional information regarding required immunizations is available at **www.shotsforschool.org**. (Health and Safety Code §§ 120325–120375.)

Enrollment Transfers

Priority for all elementary schools will be to enroll all students who reside within the school's attendance area first. (Education Code 35460.5(c)(2)(c)).

If your child was classified as an Overflow Student (a student placed in a school outside of their attendance area), your child will automatically be returned to their neighborhood attendance area school for the next school year. However, if you choose to have your child remain at the school to which they were overflowed, you will have to complete a new Open Enrollment (Intra-District) transfer request and wait until the new Open Enrollment (Intra-District) begins to see if there is space at the requested school.

If space is available, Open Enrollment (Intra-District) Transfer Requests will be approved. Open Enrollment (Intra-District) transfer requests are to be completed by parents/guardians residing in Newark and wanting their child to attend an elementary school different from their neighborhood elementary school. The decision to approve new Open Enrollment (Intra-District) transfer requests may not be made until after the new school year begins. Please remember that the law does not allow students enrolled on an Open Enrollment (Intra-District) transfer to take the place of a student residing in the school attendance area.

Any Interdistrict Transfer Requests will be approved last. Interdistrict transfer requests are for parents/guardians residing outside of Newark and wanting their child to attend an elementary school in Newark.

If an Interdistrict Attendance Permit is denied, the parent/guardian may then appeal the denial in writing, giving specific reasons and any extenuating circumstances as to why the permit should be granted. (NUSD AR 5117 Interdistrict Attendance)

If your child is receiving Special Education Services, there may need to be space in both the general education as well as the special education programs. Preferences for placement in a Special Education Resource Specialist Program will go to students currently enrolled at their neighborhood school, followed by overflow and Open Enrollment (Intra-District) students. If space still remains, then Inter-district students would be served. (NUSD BP 5116.1 Intradistrict Open Enrollment)

Notice of Alternative Schools

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

- Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- Recognize that the best learning takes place when the student learns because of his desire to learn.
- Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.
- 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.
- 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. (Educ. Code 58501). Newark Unified School District's alternative education programs provide support for students who may need an alternative educational environment in order to thrive academically. Participation in these programs requires administrative Board approval.

Bridgepoint High School

Bridgepoint High School is the continuation high school of the Newark Unified School District. The school serves students in grades 10–12 who are age 16 or older and may benefit from credit recovery opportunities and/or a smaller educational setting to support their path to graduation.

Our mission is to promote lifelong learning by motivating students to remain engaged in their education and reach their full potential. We are proud of our full WASC accreditation, strong school safety record, and Panther family spirit. We value diversity, resilience, collaboration, and compassion. At Bridgepoint, we are committed to providing a supportive environment where every student has the opportunity to succeed academically, personally, and socially.

Crossroads Independent Studies Program

Crossroads Independent Studies Program provides a long-term independent study option for students in grades 6–12 who choose not to attend, or are unable to attend, a traditional classroom setting for 15 school days or more. (Education Code 51741)

Our mission is to provide a personalized education in a caring and supportive environment. Through independent study, students have the opportunity to pursue their educational goals outside the traditional classroom while receiving individualized instruction, academic support, and guidance from credentialed teachers. Crossroads is committed to helping students develop the knowledge, skills, and independence necessary for academic success and lifelong learning.

Exemptions From Compulsory Attendance

Each student between the ages of 6 and 18 shall be subject to compulsory full-time education. (Educ. Code 48200) However, the Superintendent or designee may grant exemptions from compulsory attendance to a student as allowed by law and in the best interest of the student. Exemptions shall not be used to remove a student from the school for disciplinary purposes. (NUSD BP 5112.1 Exemptions From Attendance)

ATTENDANCE

Absences And Excuses

Regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy. (NUSD BP 5113 Absences And Excuses).

Absence Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. The following methods may be used to verify student absences: (NUSD BP 5113 Absences And Excuses)

1. A written, digital, or audio message from parent/guardian, parent representative (Educ. Code 46012)
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative.
3. Visit the student's home by the verifying employee
4. Physician's verification

Parents/Guardians will have **three school days** to clear an absence following the return of the student.

Excused Absences

Absences from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Educ. 46010, 48216, 48205)

A pupil absent from school under the provisions of Education Code 48502 listed above shall be allowed to complete assignments and tests that are reasonably equivalent to, but not necessarily identical to, those 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.

Per Education Code 48205, a student's absence shall be excused for the following reasons:

1. Due to the pupil’s illness.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
    - School authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Educ. Code 46010.1
4. For the purpose of attending the funeral services of a member of the pupil’s immediate family, so long as the absence is not more than five days regardless of the location of the funeral.

5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
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 the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
    - Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to administrative regulations and law. (Educ. Code 46014)
        - Attendance at religious retreats shall not exceed one full day per semester.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event.
12. Authorized at the discretion of a school administrator, as described in subdivision © of Section 48260.

Excessive Excused Absences

Parent/guardian of any student who has accumulated more than 10 excused absences may be required to attend a conference with a school administrator and provide reasonable verification of illness before having any additional absences excused. (5 CCR 421, BP/AR 5113)

Additionally, when a student has accrued 10 excused absences or more an irregular attendance letter(s) will be mailed home. Even though absences are excused, a student can still be deemed as chronically absent under California Ed Code 60901(c)(1).

Chronic absence: In California, chronic absence is typically defined as being absent for any reason (excused or unexcused) for at least 10% of the school year.

Truancy

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Educ. Code 48260)

Any student who is absent one full school day, or tardy or absent for more than any 30 minute period during a school day without a valid excuse, or any combination thereof, on three occasions will be classified as a truant. (EC 48260) A truancy letter will be sent to the student's parent/guardian.

Any student who has once been reported as a truant and who is again tardy or absent during a school day without a valid excuse on one or more occasions, shall be again reported as a truant. (EC 48261) An additional truancy letter(s) to the student's parent/guardian, and the school will request a conference to address the attendance problem.

Any student who has been reported as a truant three or more times in a school year is deemed a habitual truant. (EC 48262) The student's parent/guardian will be sent additional truancy letter(s), and the school will request a conference to address the attendance problem.

Should a habitually truant student continue to miss school, the student shall be referred to the School Attendance Review Board (SARB).

School Attendance Review Board (SARB)

SARB is composed of representatives from the District, law enforcement, probation, and various community based and youth service agencies. Members work collaboratively to determine barriers to attendance and develop a plan to get the student back to school. Failure to meet with SARB or follow its directives can result in a referral to Alameda County Office of Education Positive Attendance Care Team.

Home and Hospital Instruction

A student with a temporary disability that makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026. (Educ. Code 48206.3) (NUSD BP 6183 Home and Hospital Instruction)

A student of another district who is temporarily disabled within this district shall be eligible to receive individual instruction in this district. In such circumstances, it is the responsibility of the parent/guardian to notify the district. (Educ. Code 48207, 48208)

INSTRUCTION

Retention of Students

The Governing Board expects students to progress through each grade within one school year. Toward this end, instruction shall be designed to accommodate the varying ways that students learn and provide strategies for addressing academic deficiencies when needed.

Retention

Teachers shall identify students who should be retained or who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified at the following grade levels: (Educ. Code 48070.5) (NUSD BP 5123 Promotion/Acceleration/Retention)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between the end of the intermediate grades and the beginning of the middle school grades
5. Between the end of the middle school grades and the beginning of the high school grades

If a student is identified as performing below the minimum standards for promotion to the next grade level based on the indicators specified in Board policy, the student shall be retained in his/her current grade level unless the student's regular classroom teacher determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. (Educ. Code 48070.5)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the summer school remediation program, and the decision to retain or promote the student shall be reevaluated at that time with the student's parents/guardians and the principal. (Educ. Code 48070.5)

When any student in grades 2-9 is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. (Education Code 48070.5)

Continuation in Kindergarten

Whenever the Superintendent or designee and the parents/guardians agree that a student shall continue in kindergarten for an additional year, the Superintendent or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in kindergarten for not more than one additional school year. (Educ. Code 46300, 48011)

Retention Appeal Process

To appeal a teacher's decision, the parent/guardian shall submit a written request to the Superintendent or designee specifying the reasons why the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion. (NUSD AR 5123 Promotion/Acceleration/Retention)

Whenever a student's parent/guardian appeals to the teacher's decision to promote or retain a student, the burden shall be on the parent/guardian to show why the teacher's decision should be overruled. (Educ. Code 48070.5)

Homework Policy

Within the Newark Unified School District, each school will establish homework expectations organized by grade level, course level, or department and follow the parameters established by NUSD BP 6154 Homework.

Independent Study Coursework

Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full-time or part-time basis, and/or in conjunction with part- or full-time classroom study. (NUSD BP 6158 Independent Study, revised 2022) More information can be found in the "Enrollment" section of this handbook under Crossroads Independent Study Program.

A student's participation in an independent study shall be voluntary. Students participating in the independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Educ. Code 51747; 5 CCR 11700) However, NUSD encourages all students to utilize transfer windows by transferring between semesters (secondary students) and trimesters in order to avoid disruptions to learning.

Individual school sites have short-term independent study contracts for students who will be out for a maximum of fifteen (15) consecutive days and not past the end of the current school year.

A short-term Independent Study contract is a voluntary alternative to a regular classroom program of instruction when a student is absent from school for one (1) and not more than fifteen (15) cumulative school days in one school year.

No Independent Study contracts will be issued for the first 20 days, the last 20 days of the school year, or during state testing times.

Schools are not obligated to provide students with an Independent Study contract. The availability of an Independent Study contract must be agreed upon by mutual consent of the principal, teacher, parent/guardian, and student. Students should only be placed on Independent Study if the student can successfully accomplish their academics. (EC 51745 and 51747)

To help our teachers prepare meaningful assignments, please submit Independent Study requests at least **10 school days before** your student's planned absence. If an emergency arises and advance notice isn't possible, contact your school's principal directly.

A written Independent Study contract must be completed, signed and dated for each participating student prior to the starting date of the Independent Study. The contract must contain all the components prescribed by law.

Each student's Independent Study contract shall be coordinated, evaluated and carried out under the general supervision of a certificated teacher.

All assigned work is due on the day upon which the student is scheduled to return to the classroom and shall be graded by appropriately credentialed teachers.

Students, who have previously been granted an Independent Study Agreement and have not successfully completed a previous Independent Study agreement, are not eligible for any subsequent short-term Independent Study agreements.

No individual with disabilities, as defined in Education Code 56026, may participate in Independent

Study unless the student's Individualized Education Program (IEP) specifically provides for such participation.

Educational Counseling

The district's academic counseling program shall be designed to assist students to establish immediate and long-range educational plans, achieving academic standards, preparing for the high school exit examination, and completing the required curriculum in accordance with their individual needs, abilities, and interests. Insofar as possible, parents/guardians shall be included when making educational plans. (NUSD BP 6164.2 Guidance/Counseling Services)

Beginning in grade 7, parents/guardians may participate in career counseling and course selection so that they may participate in the counseling sessions and decisions. Please contact the school's main office for more information. (Educ. Code 221.5)

Assessment

Assessment is aligned to the Common Core State Standards and assists teachers in determining instructional priorities and modifying the curriculum accordingly. Entry Level Assessments measure a student's prior knowledge so that a teacher can plan instruction to meet the needs of every student. Progress Monitoring Assessments measure student progress daily or weekly to determine if the instruction is supporting learning. Summative Assessments, at the end of a unit or course, provide specific and detailed information about which Standards have, or have not, been achieved. Assessment data is collected and analyzed by the schools and the district to evaluate the overall effectiveness of the instructional program.

The state achievement tests shall be administered within the testing period established by the State Governing Board (SBE) pursuant to Educ. Code 60640. Students who are absent during testing shall be provided an opportunity to take the tests during the period of time established by the SBE for make-up testing.

California Assessment of Student Performance and Progress (CAASPP)

The district shall administer the following assessments in the California Assessment of Student Performance and Progress (CAASPP): (Educ. Code 60640)

1. The Smarter Balanced Summative Assessments for English language arts and mathematics, aligned with Common Core State Standards, in grades 3-8 and 11. All students at the applicable grade levels shall be administered these tests, except the following:
    a. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law
    b. Students with disabilities may be provided an alternate test in accordance with their individualized education program (IEP), as provided in item #3 below
2. California Science Tests (CAST) Students will be administered the CAST test in grades 5 and 8 and once in high school. The CAST is aligned with the California Next Generation Science Standards.
3. For students with disabilities who are unable to take the tests specified in items #1-2 above even with appropriate accommodations, the California Alternate Assessments (CAAs) for English language arts (ELA) and mathematics are given in grades 3-8 and grade 11. The CAA for Science is given in grades 5 and 8 and one time in high school.
4. For students in grade 11 on a voluntary basis, students may indicate if Smarter Balanced Assessments can be used in the Early Assessment Program (EAP) as a measure of students' readiness for college-level work in English and/or mathematics pursuant to Educ. Code 99300-99301

A parent/guardian may submit a written request to excuse his or her child from any or all parts of the CAASPP assessments for that school year. If the parent submits the exemption request after testing begins, any test(s) completed before the request is submitted will be scored; the results will be included in

the pupil's records and reported to the parent. District employees shall not solicit or encourage any written exemption on behalf of any student or group of students. (5 CCR 852) (NUSD AR 6162.51 State Academic Achievement Tests)

Physical Fitness Testing (PFT)

California requires students in grades 5, 7, and 9 to participate in the Physical Fitness Test (PFT), known as the FITNESSGRAM®. The purpose of the FITNESSGRAM® is to help students assess their fitness levels and encourage lifelong habits of regular physical activity. Students will receive their individual fitness results following testing. In accordance with current state requirements, body composition data, including height, weight, Body Mass Index (BMI), age, and gender, is not collected or reported as part of the FITNESSGRAM®. Only student participation information is reported on the School Accountability Report Card (SARC).

Results of Student Assessments

The Governing Board recognizes that student assessments are an important instructional and accountability tool. Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance. (NUSD BP 6162.5 Student Assessment)

California School Dashboard

The California School Dashboard (or the Dashboard) is an online tool that shows parents/guardians and communities how schools and districts are performing on test scores, graduation rates, and other measures of student success. Visit https://www.caschooldashboard.org for the Dashboard and resources.

English Learner Notifications

Under Education Code 440, parents/guardians will receive a notification when their child is assessed for English language proficiency, this will be sent no later than 30 days after the start of the school year. The notification will include the following: (Educ. Code 313.2)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
    a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
    b. The manner in which the program will meet the educational strengths and needs of the student
    c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation
    d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
    e. When the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards

5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

A parent/guardian may submit a request that his/her child be exempted from placement in a structured English immersion program (Educ. Code 310; 5 CCR 11309) (NUSD AR 6174 Education For English Language Learners). The request may be in the form of a verbal or written request and must be submitted to the office of the school the student is attending. The exemption will not preclude the student from taking the annual language assessment, ELPAC.

Language Acquisition Programs (Education Code 310)

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

In accordance with state law, students in NUSD who are learning English as a second language are enrolled in an SEI program and receive Designated English Language Development instruction until they achieve reclassification status. However, parents/guardians of such students have the right to refuse the placement of their students in an SEI program. To opt-out of the SEI program, parents/guardians may submit a verbal or written request to the office of the school their child is assigned to attend. It is the responsibility of NUSD to ensure such students continue to receive instruction as needed to acquire English language proficiency and meet the district's content and performance standards for their grade level.

Parents/guardians of enrolled students also have the right to request a different and new language acquisition program that is designed to provide language instruction. (Educ. Code 310; 5 CCR 11309) The request may be in the form of a verbal or written request and must be submitted to the office of the school the student is attending. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310; 5 CCR 11311; NUSD Board Policy (BP) 6174).

More information on the California Education for a Global Economy (Ed.G.E.) Initiative (Proposition 58) addressing language and language acquisition programs can be found at: CA Education for a Global Economy Initiative - Resources (CA Dept of Education).

English Language Proficiency Assessments for California (ELPAC)

The English Language Proficiency Assessments for California (ELPAC) is the required state test for English language proficiency that must be given to students whose primary language is a language other than English. The Initial ELPAC test is used to determine if a student is an English learner or is fluent in English. This required test will help identify students who need help learning English. This is important so they can get the support they need to do well in all school subjects. Students in kindergarten through grade 12, who are classified as English learners, will take the ELPAC Summative Assessment every year until they are reclassified as proficient in English. Students are tested on their skills in listening, speaking, reading, and writing.

To learn more about the ELPAC, please read the California Department of Education's *Parent Guide to Understanding the ELPAC* at https://www.cde.ca.gov/ta/tg/ep/elpacparentresource.asp

Excuse from Instruction Due to Religious Belief

Instructional programs may include references to religion and may use religious literature, art, music or symbols to illustrate the subject matter being taught. Such instruction should be designed to broaden the students' understanding of social and cultural history and their tolerance for the multiple ways of life practiced by the peoples of the world. Instruction about religious holidays shall be carefully tied to these educational objectives.

Instruction which is contrary to a student's religious beliefs and teachings may be optional for that student, in accordance with the Education Code or at the discretion of the Superintendent or designee. (NUSD BP 6141.2 Recognition of Religious Beliefs and Customs)

Sexual Health and HIV/AIDS Prevention Instruction

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family. (NUSD BP 6142.1 Sexual Health And HIV/AIDS Prevention Instruction)

HIV/AIDS prevention education shall be offered to all students in grades 7-12 at least once in junior high or middle school and at least once in high school. (Education Code 51934) Instruction shall accurately reflect the latest information and recommendations from the United States Surgeon General, the federal Centers for Disease Control and Prevention, and the National Academy of Sciences. Comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel. (NUSD AR 6142.1 Sexual Health And HIV/AIDS Prevention Instruction)

Written and audiovisual educational materials to be used in comprehensive sexual health and HIV/AIDS prevention education are available for inspection, and parents/guardians have a right to request a copy of Education Code 51930-51939.

A parent/guardian may request in writing that his/her child be excused from participating in HIV/AIDS prevention or sexual health education. Students so excused by their parents/guardians shall be given an alternative educational activity. A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Educ. Code 51240, 51938, 51939)

This item appears on the Student & Parent/Guardian Acknowledgment, Exclusion, Release Form

Parents/guardians shall be asked to sign and return to the school an acknowledgment that they have received the notification. If a parent/guardian wishes to excuse his/her child from instruction, he/she must provide a separate written request, as specified in Board policy.

Other district courses that may include subject matter related to that which is presented in either HIV/AIDS prevention or comprehensive sexual health instruction, shall not be subject to the requirements of Education Code 51930-51939. (Educ. Code 51932) (NUSD AR 6142.1 Sexual Health And HIV/AIDS Prevention Instruction)

Exemption from Requirements in Health Instruction

If any part of a school's instruction in health conflicts with the religious training and beliefs of a parent or guardian of a pupil, the pupil, upon written request of the parent or guardian, shall be excused from the part of the instruction that conflicts with the religious training and beliefs. (Educ. Code 51240)

HIGH SCHOOL NOTIFICATIONS

Closed Campus

To maintain a safe, supervised, and orderly learning environment, all Newark Unified School District schools operate as closed campuses. Once students arrive at school, they must remain on campus until the end of the school day unless they have written parent/guardian authorization and receive permission from school administration to leave for a specific purpose, such as a medical appointment.

Students in grades 11 and 12 who are enrolled in approved MVROP courses may leave campus for those courses but must present a valid MVROP identification badge when entering or leaving campus.

Students who leave campus without authorization will be considered truant, receive an unexcused absence, and may be subject to disciplinary action. (NUSD BP 5112.5 Closed Campus)

Students are expected to remain in designated areas during the school day. Loitering in vehicles or entering unsupervised areas of campus is prohibited.

All visitors must check in and register with the school office before entering campus. Students who facilitate or assist unauthorized visitors on campus may be subject to disciplinary action.

Advanced Placement Exam Fees

State funds may be available to help cover the costs of Advanced Placement (AP) examination fees pursuant to Education Code 52242. Contact your counselor for more information.

Cal Grant Program

Students enrolled in 12th grade will be deemed Cal Grant applicants unless the student opts out of being automatically deemed a Cal Grant applicant. Until a pupil turns 18 years of age, only a parent or guardian may opt the pupil out. Once a pupil turns 18, only the pupil may opt out. If 12th grade students do not opt out, their grade point average will be submitted electronically. Contact your school office to opt out; the school will send grade point averages to the Commission by the submission deadline of October 1 (Educ. Code 69432.9).

Graduation Requirements (continue on next page)

Graduation Requirements

Comprehensive high school graduation requirements are designed to align with and support completion of the UC/CSU A-G admission requirements. Students seeking admission to UC or CSU campuses should work with their counselor to ensure that all A-G requirements are completed:

Subject Area	Comprehensive High School	Continuation High School
English	4 courses	4 courses
Mathematics At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I	3 courses	2 courses
Science (3 courses highly recommended) Including biological and physical sciences	2 courses	2 courses
History/Social Studies Including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics	3 courses	3 courses
Physical Education	2 courses	2 courses
Visual or Performing Arts (VAPA), Career Technical Education (CTE), World Language	3 courses	1 course
Electives	6 courses	5 courses
TOTAL	23 courses	19 courses

Foster Youth or Children of Military Families

The Superintendent or Designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701.

High School Graduation Participation Policy

In order to encourage high standards of student conduct and behavior, the principal may deny the privilege of participating in graduation ceremonies and/or activities in accordance with school rules (NUSD BP 5127 Graduation).

College, Career Readiness

Pursuant to Education Code 51229, please see below the College Admission Requirements and information about Career Technical Education (CTE).

Meet with your counselor for help choosing courses that will meet college admission requirements and/or enrolling in CTE courses.

University of California (UC) Minimum Admission Requirements

This information from http://admission.universityofcalifornia.edu/counselors/preparing-freshman-students/freshman-requirements/.html is current as of June 9, 2025.

Meeting the minimum requirements does not guarantee admission to a particular campus.

Freshman applicants will be required to complete a minimum of 15 yearlong "A-G courses with a letter grade of C or better in grades 9-12. Seven of these courses must be taken in the last two years of high school. Students must complete the following:

a. History/Social Science - 2 yearlong courses
b. English - 4 yearlong courses
(composition/literature in the language of instruction)
c. Mathematics - 3 yearlong courses
(including elementary algebra, geometry, and intermediate algebra; or a series of integrated math courses - including sufficient geometry content)
d. Laboratory Science - 2 yearlong courses
(from two disciplines, such as biology, chemistry, and/or physics; or one biology, chemistry, or physics course and one interdisciplinary, integrated, or earth and space science course)
e. Language other than English - 2 yearlong courses
(in the same language other than English)
f. Visual and Performing Arts - 1 yearlong course
(from dance, drama/theater, music, visual arts, or interdisciplinary arts; or two one-semester courses from the same discipline)
g. College-Preparatory elective - 1 yearlong course
(chosen from the fields above or another course approved by UC)

In order to be considered for admission, applicants must have earned a minimum GPA of 3.0 (3.4 for nonresidents) in all "A-G" courses completed in grades 10 and 11, with no grade lower than a C.

The SAT and SAT Subject Tests are not required for admission. Competitive majors on some campuses may recommend particular SAT Subject Tests to demonstrate subject proficiency. Subject Tests may be used to fulfill "a-g" requirements.

If students do not have a high school diploma, UC will accept the Certificate of Proficiency awarded by the State Board of Education upon successful completion of the California High School Proficiency Examination (CHSPE). UC will also accept proficiency examinations from other states, and the General Education Development (GED) Certificate, in place of a diploma.

Visit University of California Admissions for more information.

California State University (CSU) Minimum Admission Requirements

This information is from https://www2.calstate.edu/apply/freshman/getting_into_the_csu/pages/admission-requirements.aspx

Admission offices at the 23 campuses use three factors to determine eligibility: specific high school courses (referred to as “a-g” courses), grades in “a-g” courses and test scores, and graduation from high school. Test scores are required unless you have a grade point average above 3.00 and are a resident of California. Your high school grade point average is calculated using your grades in all your college prep "a-g" classes completed after the 9th grade.

Many CSU campuses have higher standards for particular majors or for students who live outside the local admission area or higher standards for all applicants. Many CSU campuses use local admission policies for students who graduate or transfer from their region.

The CSU requires a minimum 15-unit pattern of courses for admission as a first-time freshman. Each unit is equal to a year of study in a subject area. A grade of C or better is required for each course you use to meet any subject requirement:

a. History and Social Science - 2 yearlong courses
   (including 1 year of U.S. history or 1 semester of U.S. history and 1 semester of civics or American government AND 1 year of social science)
b. English - 4 courses
   (4 years of college preparatory English composition and literature)
c. Mathematics - 3 yearlong courses
   (4 years recommended) including Algebra I, Geometry, Algebra II, or higher mathematics (take one each year)
d. Laboratory Science - 2 yearlong courses
   (including 1 biological science and 1 physical science)
e. Language other than English - 2 yearlong courses
   (2 years of the same language; American Sign Language is applicable; possible waiver of this requirement if you can demonstrate competency in a language other than English, contact the CSU campuses to which you are applying)
f. Visual and Performing Arts - 1 yearlong course
   (dance, drama or theater, music, or visual art)
g. College Preparatory elective - 1 yearlong course
   (additional year chosen from the University of California "A-G" list)

There are CTE courses that can be used to meet any of the subject area requirements listed above. Please refer to the University of California's Course List Search at University of California | AG Policy Resource Guide.

Career Technical Education

Career Technical Education (CTE) is a program of study that involves a multi-year sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. Newark Memorial offers off-campus and on-campus CTE courses. Visit Career Technical Education - Teaching & Learning (CA Dept of Education) to learn more about CTE.

See your counselor for a complete list of CTE courses offered by the District that satisfy the subject matter requirements for admission to the state public colleges, and which of the specific admission requirements these courses satisfy.

Certificate of Proficiency

The Governing Board desires that every student have the opportunity to earn a high school diploma through successful completion of classwork and examinations; however, when a student is unable to do so, the Board encourages the completion of an alternative program that allows the student to obtain an equivalent certificate (NUSD BP 6146.2 Certificate Of Proficiency/High School Equivalency).

A person 16 years of age or older, or who has been enrolled in the 10th grade for one academic year or longer, or who will complete one academic year of enrollment in the 10th grade at the end of the semester during which the next regular examination will be conducted, may have their proficiency in basic skills taught in public high schools verified according to criteria established by the California Department of Education. The State Board shall award a "Certificate of Proficiency" to persons who demonstrate that proficiency. The Certificate of Proficiency shall be considered equivalent to a high school diploma (Educ. Code 48412).

CONDUCT & DISCIPLINE

Discipline

A safe, secure school, free of weapons, violence, and unlawful or disruptive behavior, is essential to maintaining an educational environment that promotes learning and protects the health, safety, and welfare of all students.

At the beginning of the school year, each principal shall inform all students and parents/guardians or the school and District discipline rules and procedures and of the availability of District policies and regulations relating to student discipline, suspension and expulsion.

Site-level rules shall be consistent with district policies and administrative regulations. It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Educ. Code 35291)

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. (NUSD AR 5144 Discipline)

Suspension and Expulsion

Suspended students shall not attend any educational and school-related extracurricular and co-curricular activities during the period of suspension. “Suspension” means removal of a student from ongoing instruction for adjustment purposes. “Expulsion” means removal of a student from immediate supervision and control, or the general supervision of school personnel. Students with disabilities have procedural safeguards and a right to a Free and Appropriate Public Education (FAPE). (BP/AR 5114)

A student may be suspended upon a first offense if the principal or designee determines that the student violated Education Code section 48900 (a)-(e), or if the student’s presence causes a danger to persons. A student may be suspended from school and/or recommended for expulsion if the principal of the school in which the student is enrolled determines that other means of correction have failed to bring about proper conduct and the student has committed an act as defined in EC 48900, (a)-(t), or 48900.2, 48900.3, 48900.4, or 48900.7.

A student may be suspended or expelled for any acts that occur at any time related to school activity or attendance, including, but not limited to: while on school grounds, going to or coming from school, during lunch, whether on or off campus, and during or while going to or coming from a school-sponsored activity. (EC 48900(s)).

Administrators may also take appropriate disciplinary action when information becomes available about student misconduct which occurs off school grounds or outside of school activities, where the misconduct has a direct and detrimental effect on or seriously threatens the discipline, educational environment, safety or general welfare of students, faculty, staff and/or administrators of the district. (AR 5114).

Grounds for Suspension and Expulsion, Grades K-12

Acts for which a grade K-12 student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person (Educ. Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous objects (Educ. Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind (Educ. Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered,

or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Educ. Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Educ. Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Educ. Code 48900(f))
7. Stole or attempted to steal school property or private property (Educ. Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products (Educ. Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Educ. Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia (Educ. Code 48900(j))
11. Knowingly received stolen school property or private property (Educ. Code 48900(l))
12. Possessed an imitation firearm (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) (Educ. Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Educ. Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding (Educ. Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Educ. Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Educ. Code 48900(q))
17. Engaged in an act of bullying (Educ. Code 48900(r))
18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31. (Educ. Code 48900(t))
19. Made terrorist threats against school officials and/or school property. (Educ. Code 48900.7)

Additional Grounds for Suspension and Expulsion, Grades 4-12

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2) *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. (Education Code 212.5, 48900.2)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3) *Hate violence* means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include 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. (Education Code 233; Penal Code 422.55)

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. (Education Code 48900.4)

Appeal of Suspension

A parent /guardian who disagrees with a suspension must meet with the principal to request a reconsideration of the suspension or request that the suspension be amended or reversed. If after such a meeting, the parent/guardian still disagrees with the suspension, the parent/guardian may contact Pupil Services to appeal the suspension.

Mandatory Expulsion

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Educ. Code 48915)

1. Possessing a firearm that is not an imitation firearm
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Educ. Code 48911, 48915, 48915.5, 48918)

Suspension and Expulsion for Students with Disabilities

A student identified as an individual with a disability is subject to the same grounds for suspension and expulsion that apply to students without disabilities. Depending upon the circumstances, such a student may have additional procedural safeguards applicable to students with disabilities.

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault that may have violated Penal Code 245. The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Educ. Code 48902)

HEALTH & SAFETY

Common Irritants

Staff and students shall be asked to refrain from bringing common irritants such as furry or feathered animals, stuffed toys that may collect dust mites, scented candles, incense, or air fresheners and from using perfume or cologne, scented lotion or hair spray, nail polish or nail polish remover, or other personal care products that are not fragrance-free in classrooms, school buses, or other enclosed areas or buildings. (NUSD AR 3514 Environmental Safety)

Sun Protective Clothing/Use Of Sunscreen

School sites must allow for outdoor use of sun-protective clothing and must allow students to use sunscreen, without a prescription or physician's note, during the school day. (Educ. Code 35183.5) Parents/guardians are encouraged to apply sunscreen before the start of the school day.

Outdoor Air Quality

The Superintendent or designee may monitor local health advisories and outdoor air quality alerts, including forecasts of ozone levels, particle pollution, and/or ultraviolet radiation levels. Whenever these measures indicate a significant health risk, the Superintendent or designee shall communicate with each principal so that outdoor activities, especially those requiring prolonged or heavy exertion, may be avoided, limited in duration, or modified as necessary for all persons or for persons who may be particularly susceptible to the health risk involved. (NUSD AR 3514 Environmental Safety)

Drinking Water

The quality and safety of the district's drinking water sources shall be regularly assessed. (NUSD AR 3514 Environmental Safety)

School Bus/Passenger Safety

The following rules apply at all times when pupils are riding a school bus, including when on school activity trips: (Educ. Code 39831.5) (NUSD AR 5131.1 Bus Conduct)

1. Riders shall follow the instructions and directions of the bus driver at all times.
2. Riders should arrive at their designated bus stop on time and stand in a safe place at the stop to wait quietly for the bus.
3. Riders shall enter the bus in an orderly manner and go directly to their seats.
4. Riders shall sit down and fasten any passenger restraint systems. Riders shall remain seated while the bus is in motion.
5. Riders shall not block the aisle or emergency exit with their body or personal belongings. Riders may bring large or bulky items, such as class projects or musical instruments, on the bus only if the item does not displace any other rider or obstruct the driver's vision.
6. Riders should be courteous to the driver and to fellow passengers. Vulgarity, rude, or abusive behavior is prohibited.
7. Any noise or behavior that could distract the driver, such as loud talking, scuffling, throwing objects, or standing or changing seats is prohibited and may lead to suspension of riding privileges.
8. Riders shall not use tobacco products, eat, or drink while riding the bus.
9. Riders may bring electronic devices onto the bus only if such devices are permitted at school. If the use of cellular telephones or similar devices disrupts the safe operation of the school bus, the bus driver may direct the pupil to no longer use the device on the bus.
10. Riders shall not put any part of the body out of the window nor throw any item from the bus.

11. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
12. Service animals are permitted on school transportation services; all other animals are prohibited. (Educ. Code 39839; 13 CCR 1216)
13. Upon reaching their destination, riders shall remain seated until the bus comes to a complete stop, and upon the signal from the driver, unfasten any restraint system, enter the aisle, and go directly to the exit.
14. Riders should be alert for traffic when leaving the bus and shall follow the district's transportation safety plan when crossing the road and exiting the bus.

The driver or any passenger shall report any violation of the district's bus rules to the principal or designee. The principal or designee shall notify the pupil's parent/guardian of the misbehavior, determine the severity of the misconduct, and take action accordingly. In instances of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined appropriate by the principal or designee, per 5 CCR 14103. Bus drivers shall not deny transportation services except as directed by the principal or designee.

Health Examinations

A parent/guardian may annually file with the principal a written statement withholding consent to the physical examination of his/her child. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when a contagious or infectious disease is reasonably suspected. (Educ. Code 49451; 20 USC 1232h) (NUSD AR 5141.3 Health Examinations)

Vision Testing

Each student's vision shall be appraised, by the school nurse or other personnel authorized under Education Code 49452.

The vision appraisal shall include tests for visual acuity, including near vision. Male students shall also be tested once for color vision in grade 1 or later and the results of the appraisal shall be entered in the student's health record. (Educ. Code 49455)

Appraisal of a student's vision may be waived under either of the following conditions: (Educ. Code 49455)

1. The student's parent/guardian requests a waiver and presents a certificate from a physician/surgeon, physician assistant, or optometrist showing the results of an examination of the student's vision, including visual acuity and, in male students, color vision.
2. The student's parents/guardians file with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depend for healing upon prayer in the practice of their religion.

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action is taken to correct or cure the defect. (Educ. Code 49456)

In addition to the vision appraisals described above, the school nurse and/or classroom teacher shall continually and regularly observe students' eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties. (Educ. Code 49455)

Hearing Tests

The Superintendent or designee shall provide for the administration of hearing tests to district students by personnel authorized to conduct such testing pursuant to Education Code 49452 and 49454 and in accordance with the procedures specified in 17 CCR 2951.

The Superintendent or designee shall provide written notification of test results to the parents/guardians

of any student who fails the hearing tests. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathologies, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification shall include a recommendation that a further medical and audiological evaluation be obtained. (17 CCR 2951)

Students with Temporary Disabilities in Hospitals

Individualized instruction is available to students with temporary disabilities whose disability makes attendance in the regular day classes or alternative education programs in which the student is enrolled impossible or inadvisable. Parents of students hospitalized or with a temporary disability shall notify the school district where the student receives care if an individualized instruction program is desired. (Educ. Code 48206.3, 48207-48208)

Medication on School Grounds

Any student who must take prescribed medication at school and who desires assistance from school personnel must submit a written statement of instructions from the physician and a parental request for assistance in administering the medication. Students may also carry and self-administer prescription auto-injectable epinephrine and prescription inhaled asthma medication upon the school's receipt of specified written confirmation with instructions for self-administration and authorization from the student's parent and physician or surgeon. The parent must release the school district and personnel from liability for any harm resulting from the self-administered medication, and provide a release for authorized school personnel to consult with the physician or surgeon. (Educ. Code 49423, 49423.1)

Parents of any student on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication(s) being taken, the current dosage, and the name of the supervising physician. With the consent of the parent, the school nurse may communicate with the physician and may counsel school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. (Educ. Code 49480)

Speak with the main office of your student's school for more information on medications.

Asbestos Hazard Emergency Response Act Compliance

An asbestos management plan for each school site shall be maintained and regularly updated to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. (15 USC 2643; 40 CFR 763.93) (NUSD AR 3514 Environmental Safety)

The asbestos management plan shall be available for inspection in district and school offices during normal business hours. Staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress. (40 CFR 763.84)

Pesticide Use on District Property

The Healthy Schools Act of 2000 (AB 2260) and Education Code 17611.5, 17612, and 48980.3 require that notification be given to parents/guardians and staff regarding the use of pesticides in public schools. This bill also encourages an Integrated Pesticide Management (IPM) approach to be taken in dealing with "pests." IPM for the District means using fewer chemicals; when chemicals are used that they are the safest possible; establishing a level of pests that we will accept before chemicals are used; mechanical weed removal; non-chemical rodent abatement, etc.

A warning sign shall be visible to all persons entering any treated areas and shall be posted 24 hours before the application and remain posted until 72 hours after the application. In case of a pest control emergency, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. The warning sign shall prominently display the term "Warning/Pesticide Treated Area" and shall include the product name, manufacturer's name, the United States Environmental

Protection Agency's product registration number, intended date, areas of application, and reason for the pesticide application.

If you have further questions or want to see a digest of AB 2260, a product list, and Material Safety Data Sheets (MSDS) on the chemicals to be used at your school, please contact the Director of Maintenance, Operations, and Transportation at (510) 818-4271.

More information on pesticides and their alternatives are available through the California Department of Pesticide Regulation at California Department of Pesticide Regulation.

The following pesticides may be stocked and used at schools by authorized and trained employees:

Pesticide	Active Ingredient(s)
DuPont Advion (Cockroach gel Bait)	Indoxacarb (S)-methyl 7-chloro-2,5-dihydro-2-(methoxycarbonyl)[4-(trifluoromethoxy)phenyl]amino]-carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a-(3H)-carboxylate 0.6%
Ranger Pro Pesticide	Isopropylamine salt of N- (phosphonomethyl) glycine: (Isopropylamine salt of glyphosate) Composition: Isopropylamine salt of glyphosate 41% by Weight; Other ingredients: 59%
Essentria™ IC3 Insecticide Concentrate	Rosemary Oil 10.0% Geraniol 5.0% Peppermint Oil 2.0% Ingredients not precisely identified are proprietary or non-hazardous.
DuPont Advion (Ant Gel)	Indoxacarb* (S)-methyl 7-chloro-2,5-dihydro-2-[[(methoxycarbonyl)[4(trifluoromethoxy)phenyl]amino]-carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a- (3H)-carboxylate 0.05%
Chlorophacinone	0.005% Chlorophacinone
Contract AW Blox	0.005% Bromadiolone
Diphacinone 0.01%	0.01% Diphacinone
Fumitoxin Tablets	55.0% Aluminum Phosphide
Gopher Getter Type 2 AG Bait	0.005% Diphacinone
Martins Gopher Bait 50R	0.50% Strychnine Alkaloid
Omega Gopher Grain Bait	0.50% Strychnine Alkaloid
Talprid Mole Bait	0.025% Bromethalin
ZP Rodent Oat Bait AG	2% Zinc Phosphide
Turflon Ester	Triclopyr [(3,5,6-trichloro-2-pyridinyl)oxyacetic acid, butoxyethyl ester] 60.45% Other ingredients 39.55%

E.P.A. registered chemicals are applied by employees who currently possess a valid "Qualified Applicator Certificate" issued by the State of California or have completed the California E.P.A. Pesticide Safety Series N training.

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. (Educ. Code 17612)

Request for Individual Pesticide Application Notification

Parents/guardians may register to receive notification of individual pesticide applications at a specified school site. Persons who register for notification shall be notified of individual pesticide applications at least 72 hours before the application. The notice shall include the product name, the active ingredient or ingredients in the product, and the intended date of application.

To register, send the following information via email to tdefreitas@newarkunified.org with “Request for Individual Pesticide Application Notification” in the subject, or submit the information in writing to your site principal:

- Student’s school
- Student’s name
- Name of parent/guardian
- Date of request
- Preferred method of contact: mailing address or email address

FOOD SERVICES FOR STUDENTS

Child Nutrition Services

With current national attention being focused on children's health and wellness issues, Newark School District's Child Nutrition Department is excited to provide healthful, nutritious meals to students. Visit us at http://www.schoolnutritionandfitness.com/index.php?sid=1487973450928.

Cost of Breakfast and Lunch

Meals for the 2026-2027 School Year will be free of charge for all students due to the current California Department of Education guidelines. Students qualify for ***ONE*** Free Lunch and ***ONE*** Free Breakfast daily. Students are welcome to pay for their meal based on the following information:

All School Sites Second Meal Cost	Breakfast: $4.50 Lunch: $6.25

Meal Payments: Online, Check, Cash System

We offer parents/guardians a convenient, easy and secure online pre-payment service to deposit money into a student's school meal account at any time. Access these services at https://www.myschoolbucks.com/. Benefits of using this service include:

- Parents/guardians have the ability to view your child's account balance.
- By having money in each child's account prior to entering the cafeteria, lunch lines move along much faster so your child has more time to eat and be with friends.
- If you have more than one child in the District you can handle all online prepayments from the same online account.
- Payments may be made with a major credit or debit card (processing is 1-2 days)
- You may also post to your student's account using an e-check which you may set up once you have created an account through https://www.myschoolbucks.com/.

In order to use the online pre-payment service, a small convenience fee for each transaction will be assessed to cover the bank fees. The convenience fee is $3.50 per credit card deposit transaction and $2.75 per e-check deposit transaction. Parents/guardians placing money into multiple meal accounts will only be assessed the $3.50 or $2.75 fee once per deposit transaction. Newark Unified School District will not profit from the use of this site.

If you choose not to take advantage of the online prepayment service you may continue to make advance payments via cash or check payable to the Café Fund. **Please write your child's full name on the check.** Personal checks are always welcome; we ask that they be for a minimum of 10 lunches.
Checks with insufficient funds will be charged a handling fee of $25.00. New checks will not be accepted for bounced checks, only cash or money orders will be accepted to pay off unpaid balances.
If your child is allergic to any foods, please submit a doctor's note to your child's school and the Child Nutrition Department so that we can keep your child's special needs on file. (NUSD BP 5141.27 Food Allergies/Special Dietary Needs)

Unpaid Meal Charges

The purpose of this meal charge Standard Practice is to establish a consistent District process for charging meals when students do not have money to pay for school meals. Students who choose to purchase a second meal during the meal serving period will be charged at the full price for the meal they are purchasing.

The Newark Unified School District offers free meals (breakfast and lunch) to all enrolled students under the California Universal Meals Program and CEP Regardless of a student's eligibility status, each student can receive breakfast and lunch each school day. Students will be served regular reimbursable meals, regardless of meal debt. The district may set up a payment plan to assist in bringing the account to a positive balance.

Families are encouraged to submit a meal application and can access a copy through the school/district website. Although students will receive free meals this year, families will still be alerted of their eligibility status. Families do not need to pay regardless of student eligibility.

Although all first meals for each meal period are free, due to the Universal Meal Program, if your child wants to purchase a second meal or any Al La Carte items, it is the responsibility of the parent/guardian to insure their child has sufficient funds on their account to all additional school meals or Al La Carte items and to keep their child's meal account up to date. Funds can be deposited to a child's meal account (1) online using MySchoolBucks.com or (2) at the school site. Go to: www.MySchooBucks.com to set up and/or manage your child's meal account. Online payments are highly encouraged, but please be aware that it takes approximately 2-3 days for those funds to be available on your child's account. Even if you do not choose to make online meal pre-payments, you can still utilize the account to check the balance of your child's meal account, and see on what dates your child participated in the school meal programs. Online accounts also have a "low balance" or "automatic deposit at low balance" parent email alert feature.

Preventing Meal Charges

In addition to the free meals offered, students may purchase second meals or a la carte items that are not part of the free, reimbursable meal. The Cafeteria records payments received through the Point-of-Sale system and tracks meals purchased to each student. Students must bring cash, credit/debit cards (Newark Junior High School and Newark Memorial High School only), or have money on their student account to purchase second meals or a la carte items. Meal charges into the negative are not permitted. Whenever there are insufficient funds in a child's cafeteria account, the second meal will not be provided. Households are encouraged to submit a Free/Reduced-Price Meal Application. Paper applications are available at school offices, the district office 5715 Musick Ave, Newark, and the Child Nutrition Services Office, 37370 Birch St, Newark. An online application may be accessed from the Child Nutrition Services webpage by clicking on the MySchoolApps link, or by browsing to: www.myschoolapps.com/Application. At the beginning of the school year, parents/guardians shall be notified in writing of the district's meal payment policies by posting this policy on the district's website. All Food Service staff shall also be trained on this policy.

Letter to Household

Dear Parent or Guardian:

The Newark Unified School District participates in the National School Lunch Program and School Breakfast. At all schools, all students will receive nutritious meals free of charge every school day. The meal programs we participate in are supported by federal and state reimbursements that are based on household income and eligibility. We are able to serve free meals because households continue to submit meal applications. Your cooperation is greatly appreciated. You or your children do not have to be U.S. citizens to qualify for free meals. If there are more household members than the number of lines on the application, attach a second application. For a simple and secure method to apply, use our online application at www.myschoolapps.com.

Your children may qualify for free or reduced-price meals if your household income falls at or below the federal Income Eligibility Guidelines below.

Reduced-Price Meals Eligibility Guidelines					
Household Size	**Year**	**Month**	**Twice Per Month**	**Every Two Weeks**	**Week**
1	$29,526	$2,461	$1,231	$1,136	$568
2	$40,034	$3,337	$1,669	$1,540	$770
3	$50,542	$4,212	$2,106	$1,944	$972
4	$61,050	$5,088	$2,544	$2,349	$1,175
5	$71,558	$5,964	$2,982	$2,753	$1,934
6	$82,066	$6,839	$3,420	$3,157	$2,218
7	$92,574	$7,715	$3,858	$3,561	$2,502
8	103,082	$8,591	$4,296	$3,965	$2,786
For each additional family member add	$10,508	$876	$438	$405	$284

Applying for Benefits

An application for free or reduced-price meals cannot be reviewed unless all required fields are completed. A household may apply at any time during the school year. If you are not eligible now, but your household income decreases, household size increases.

Direct Certification

An application is not required if the household receives a notification letter indicating all children are automatically certified for free meals. If you did not receive a letter, please complete an application.

Women, Infants, and Children (WIC) Participants

Households that receive Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) benefits, may be eligible for free or reduced-price meals by completing an application.

Homeless, Migrant, Runaway, and Head Start

Children who meet the definition of homeless, migrant, or runaway, and children participating in their school's Head Start program are eligible for free meals. Please contact school officials for assistance at 510-818-4202.

Fair Hearing

If you do not agree with the school's decision regarding your application's determination or the result of verification, you may discuss it with the hearing official. You also have the right to a fair hearing, which may be requested by calling or writing to the following: Mary Sayers, 37370 Birch St, Bldg A, Newark, CA 94560, 510-818-4281.

Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.
To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027 (PDF), found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by: 1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW, Mail Stop 9410 Washington, D.C. 20250-9410; 2) fax: 202-690-7442; or 3) email: Program.Intake@usda.gov. This institution is an equal opportunity provider.

How to Apply for Free or Reduced-Price Meals

You need to fill out a new application every year.

If we have notified you of your child receiving free or reduced-price meals, you do not need to fill out an application.

Complete one application per household, even if your children attend more than one school in Newark Unified School District. Please print clearly with a Blue or Black Ink pen. Incomplete, illegible, or incorrect information will delay processing. This application may qualify your child for benefits such as Summer EBT/SUN Bucks, internet access, school transportation, and more. Inquire with your child's school district to learn what benefits may be available to them. Completing this application will not impact your student's ability to receive school meals at no cost. The U.S. Department of Homeland Security and U.S. Citizenship and Immigration Services do not consider health, food, and housing services as part of the public charge determination. Therefore, submitting this application will not hurt an individual's immigration status.

1. **STUDENT INFORMATION –** Include all students who attend Newark Unified School District. Print their name (first, middle initial, last), school, grade level, and birthdate. If any student listed is a foster child, check the Foster box. If you are only applying for a foster child, complete STEP 1, and then continue to STEP 4. If any student listed may be homeless, migrant, or runaway, check the applicable Homeless, Migrant, or Runaway box and complete all STEPS of the application.

2. **ASSISTANCE PROGRAMS** – If any household member (child or adult) participates in CalFresh, CalWORKs, or FDPIR, then all children are eligible for free meals. Must check the applicable assistance program box, enter one case number, and then continue to STEP 4. If no one participates, skip STEP 2 and continue to STEP 3.

3. **REPORT INCOME FOR ALL HOUSEHOLD MEMBERS** – Must report gross income (before deductions) from all household members (children and adults) in whole dollars. Enter 0 for any household member that does not receive income.

Report the combined gross income for all students listed in STEP 1 and enter the appropriate pay period. Include a foster child's income if you are applying for foster and non foster children on the same application.

Print the names (first and last) of all other household members not listed in STEP 1, including yourself. Report the total gross income from each source and enter the appropriate pay period.

Enter the total household size (children and adults). This number must equal the listed household members from STEP 1 and STEP 3.

4. **CONTACT INFORMATION AND ADULT SIGNATURE** – The application must be signed by an adult household member. Print the name of the adult signing the application, contact information, and today's date.

OPTIONAL– CHILDREN'S ETHNIC AND RACIAL IDENTITIES

We are required to ask for information about your child(ren)'s race and ethnicity. This information is important and helps to make sure we are fully serving our community. Responding to this section is optional and does not affect your child(ren)'s eligibility for free or reduced price meals or SUN Bucks. Please check the appropriate boxes.

Information Statement

The Richard B. Russell National School Lunch Act requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced-price meals. You must include the last four digits of the SSN of the adult household member who signs the application. The last four digits of the SSN are not required when you list a CalFresh, CalWORKs, or FDPIR

case number or other FDPIR identifier for your child or when you indicate that the adult household member signing the application does not have an SSN by selecting the checkbox. We will use your information to determine if your child is eligible for free or reduced-price meals, and for the administration and enforcement of the lunch and breakfast programs.

Questions or Assistance

Please contact Child Nutrition Services at 510-818-4281 or via email at sarahk@newarkunified.org.

Submit

Please submit a complete application to your child's school or the Child Nutrition Services office at 37370 Birch St. Bldg A, Newark, CA 94560. You will be notified if your application is approved or denied for free or reduced-price meals.

Earned Income Tax Credit Information Act Communication

Based on your annual earnings, you may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance For Needy Families payments. Even if you do not owe federal taxes, you must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary forms and instructions, contact the IRS by calling 1-800-829-3676 or through its website at www.irs.gov.

You may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 2015 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help filing, contact the Franchise Tax Board at 1-800-852-5711 or through its website at www.ftb.ca.gov.

Nondiscrimination, Complaint Procedures

The Board designates a compliance officer in its Uniform Complaint Procedures as the coordinator of the district's efforts to comply with the laws governing its nutrition programs and to investigate any related complaints. Any complaint concerning the district's nutrition programs shall be investigated using the process identified in the Uniform Complaint Procedures. (NUSD BP 3555 Nutrition Program Compliance) (NUSD AR 1312.3 Uniform Complaint Procedures):

Mike Williams
Assistant Superintendent of Human Resources
5715 Musick Avenue
Newark, CA 94560
Phone: 510-818-4260
Email: mwilliams@newarkunified.org

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity

conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.
To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027 (PDF), found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

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

2. fax:
   202-690-7442; or

3. email:
   Program.Intake@usda.gov.

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Policy 5030: Student Wellness

Original Adopted Date: 09/23/2019 | **Last Reviewed Date:** 09/23/2019 | **Last Reviewed Date:** 5/20/2025

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Board shall delegate to the Superintendent or his/her designee the development of a Wellness Committee that will include the involvement of parents/guardians, students, school food service professionals, school administrators, Board representatives, and members of the public. (42 USC 1751 Note)

Wellness Committee

The Superintendent or designee may appoint a Wellness Committee consisting of representatives of the above groups and district administrators, health professionals, school nurses, health educators, physical education teachers, child care staff, counselors, and/or others interested in school health issues.

The Wellness Committee shall assist with policy development and advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the Committee's charges may include planning and implementing activities to promote health within the school or community.

Nutrition Education and Physical Activity Goals

The Board shall adopt goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the district determines appropriate. (42 USC 1751 Note)

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

Nutrition education shall be provided as part of the health education program in grades K-12 and, as appropriate, shall be integrated into core academic subjects and offered through before-school and after-school programs.

All students in grades K-12 shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, before-school and after-school programs, and other structured and unstructured activities.

The Superintendent or designee shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees.

Professional development shall include instructional strategies that assess health knowledge and skills and promote healthy behaviors.

To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

The Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.

Nutrition Guidelines for Foods Available at School

The Board shall adopt nutrition guidelines selected by the district for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity. (42 USC 1751 Note)

The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through the district's food service program, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutrition standards.

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one food or beverage per party. Class parties or celebrations shall be held after the lunch period.

Guidelines for Reimbursable Meals

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools.(42 USC 1751 Note)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs, to the extent possible.

Program Implementation and Evaluation

The Superintendent or designee shall establish a plan for measuring implementation of the policy. The Superintendent shall designate at least one person within the district who is charged with operational responsibility for ensuring that the school sites implement the district's wellness policy. (42 USC 1751 Note)

The Superintendent or designee measure the implementation of the policy district-wide. These measures shall include, but not be limited to, an analysis of the nutritional content of meals served; student participation rates in school meal programs and feedback from food service personnel, school administrators, parents/guardians, students, and other appropriate persons.

The Superintendent or designee shall report to the Board annually on the implementation of this policy and any other Board policies related to nutrition and physical activity.

Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias, child care facilities or in other central eating areas. (Education Code 49432)

Exhibit 5030-E PDF Student Wellness – Wellness Policy

Please see 5030-E PDF Student Wellness – Wellness Policy for further information. The Exhibit shall be updated every three years, and may be updated more frequently as needed.

Exhibit 5030-E PDF Student Wellness – Wellness Policy

Newark Unified School District

Wellness Committee

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. To fulfill this requirement, the Superintendent or designee may appoint a Wellness Committee coordinator.

Nutrition Education and Physical Activity Goals

The entire school environment, not just the classroom, shall be aligned with healthy school goals to positively influence a student's understanding, belief, and habits as they relate to good nutrition and regular physical activity. School gardens and nutrition instruction are encouraged as part of the academic curriculum.

Physical education curriculum should follow existing standards and will enable students to acquire the knowledge and skills necessary to maintain physical fitness, participate in physical activities

and make healthy lifestyle choices.

- All elementary school students shall receive 200 minutes of physical education instruction every 10 school days.
- All middle and high school students shall receive 400 minutes of physical education instruction every 10 school days.
- Unless otherwise exempted, all students will be required to engage in the District's physical education program.

Physical education instruction shall be provided by an appropriately credentialed teacher and all staff involved in physical education may be provided with opportunities for professional development.

Schools shall provide at least 20 minutes of active daily recess to all elementary school students. In addition, teachers are encouraged to provide students with short physical activity breaks between lessons or classes, as appropriate.

The administration believes that recess and other opportunities for physical activity are an

essential part of the school day. Teachers are encouraged to find alternatives to withholding recess and other physical activities as a consequence for poor behavior.

Students shall not be required to engage in physical activity as a consequence for poor behavior.

For example, students may not be singled out to run extra laps, or perform other physical activities that the entire class is not engaged in, as a behavioral consequence.

School staff members shall be encouraged to model healthy eating and physical activity

behaviors.

Programs encouraging students to walk or bicycle to and from school shall be encouraged.

Nutrition Guidelines for Foods Available at School

All foods and beverages sold to students on school campus during the school day starting at midnight and up to one half hour after the school day, shall meet or exceed state and federal nutrition standards (*https://www.cde.ca.gov/ls/nu/he/compfoodsrefpub.asp*) This applies to any food or beverage sold to students outside of the school meal program including foods and beverages sold a la carte in the cafeteria, through student stores, snack bars, vending machines, fundraisers, or other venues.

State and federal nutrition standards (*https://www.cde.ca.gov/ls/nu/he/compfoodsrefpub.asp*) apply to all foods and beverages sold to students through school-sponsored fundraisers, unless an exemption applies. Each school will be allowed to hold 4 exempt fundraisers per school year during which any food or beverage may be sold. The date of the fundraiser as well as information regarding food and beverages being sold must be approved in advance by the Child Nutrition Department.

School staff shall encourage parents/guardians or other volunteers to support the district's

nutrition education program by considering nutritional quality when selecting any snacks

which they may donate for occasional class parties and by limiting foods or beverages that do

not meet nutritional standards to no more than one food or beverage per party. A list of

allowable party foods that meet nutritional standards shall be provided to families. Class

parties or celebrations shall be held after the lunch period.

Schools will encourage non-food rewards for recognition of students' academic performance, accomplishments, or classroom behavior. Physical activity, such as extra recess, may be used as a reward when time permits.

Students will be provided free access to drinking water throughout the school day through drinking fountains or hydration stations on campus.

Only healthy snacks will be served or sold to students in afterschool programs.

The Board prohibits the marketing and advertising of non-nutritious foods and beverages. Marketing on the school campus will be limited to those products that are allowed to be sold according to state and federal nutrition standards. *https://www.cde.ca.gov/ls/nu/he/compfoodsrefpub.asp*

Guidelines for Reimbursable Meals

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations. A working link to the USDA website outlining the nutrition standards for school meals is provided here: *https://www.fns.usda.gov/school-meals*

The district shall take steps to ensure that students qualifying for free or reduced price meals are not overtly identified in any way.

Applications for free and reduced-price meals are available to all families throughout the school year on the Child Nutrition website at *https://www.schoolnutritionandfitness.com/index.php?sid=1487973450928*

Schools shall serve students one free reimbursable meal (for breakfast **and** lunch), regardless of any negative balance on their meal account.

School meals shall be made attractive to students by appealing to their taste preferences. Student surveys and taste-test opportunities shall be utilized to gather student feedback.

The Child Nutrition department is encouraged to source fresh fruits and vegetables from local farmers where practicable.

Schools shall permit all full-day students a daily lunch period of not less than 20 minutes.

Free drinking water will be available where school meals are served during mealtimes. Water cups will be available in the cafeteria if a drinking fountain is not present. All school nutrition program directors, managers and staff will meet hiring and annual continuing education/training requirements in the USDA Professional Standards for Child Nutrition Professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Marketing strategies, such as taste tests and signage in the cafeteria, should be used to promote healthy food and beverages throughout the school.

Program Implementation and Evaluation

The Superintendent or designee shall assess schools' compliance with the local school wellness policy at least once every three years and make assessment results available to the public. The triennial progress report will be posted on the district website. The report will include an assessment on compliance, the extent to which our wellness policy compares to model wellness policies, and progress made in achieving goals. The district wellness committee will revise the policy as needed.

USDA Non Discrimination statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the state or local agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027 (PDF), found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

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

2. fax:
   202-690-7442; or

3. email:
   Program.Intake@usda.gov.

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2026-27 STUDENT & PARENT/GUARDIAN ACKNOWLEDGMENT, EXCLUSION, RELEASE FORM

This page is your copy; please complete the attached duplicate form and return it to your student's school.

Please ensure receipt of this form by the school office within the next 30 days for each child enrolled at NUSD. No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. The box to the left appears next to any item in this handbook that is referenced on this form.

This item appears on the Student & Parent/Guardian Acknowledgment, Exclusion, Release Form

Technology Acceptable Use Agreement

I have received, read, understand, and agree to abide by the Technology Acceptable Use Agreement (Page 30).

Student Name: _____ Parent/Guardian Name: _____
Signature: _____ Signature: _____
Date: _____ Date: _____

Photography/Video/ Media Release (Educ. Code 49061)

- ❑ I **DO** allow the release or publishing of any photographs/videos of my student.
- ❑ I **DO NOT** allow the release or publishing of any photographs/video of my student

Parent/Guardian Signature: _____ Date: _____

HIV/AIDS Prevention & Sexual Health Education (Educ. Code 51240, 51938, 51939)

- ❑ I **DO** allow instruction on HIV/AIDS prevention instruction or sexual health education.
- ❑ I **DO NOT** allow instruction on HIV/AIDS prevention instruction or sexual health education.

Parent/Guardian Signature: _____ Date: _____

Directory Information (20 USC 1232g, 7908; Education Code 49073)

- ❑ I **DO** allow the release of my student's directory information.
- ❑ I **DO NOT** allow the release of my student's directory information.

Parent/Guardian Signature: _____ Date: _____

Parent/Guardian Acknowledgment (Education Code 48982)

It is required that a copy of this form be signed and returned to the school. A signature acknowledges receipt of the information regarding rights, responsibilities, and protections.

Parent/Guardian Name: _____
Parent/Guardian Signature: _____ Date: _____